

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51486 of 2023

Arising Out of PS. Case No.-136 Year-2023 Thana- MAIRWAN District- Siwan

RAVI SHANKAR THAKUR Son of Prem Shankar Thakur Resident of
village - Chotka Manjha, P.s. - Mairwa, Distt. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kanishk Kaustubh, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 17-10-2023 Heard Mr.Kanishk Kaustubh,learned counsel for the

petitioner and Mr.Ashok Kumar Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Mairwa P.S Case No.136 of 2023,FIR dated 12.05.2023 registered for the offences punishable under Sections 147,447,341,323,324,307,504 and 506 of IPC.

3. Allegation against the petitioner is that he alongwith other co-accused persons assaulted the informant. Specific allegation against the petitioner is that he assaulted with Tangi to the brother-in-law of the informant, namely, Panchanand Thakur on his head with intention to kill him and head injury was caused and blood started oozing out and he fell down on the ground.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent. He has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and as per allegation in the FIR that the petitioner has assaulted with Farsa to the brother-in-law of the informant, namely, Panchanand Thakur. Further submits that there was no intention to kill the brother-in-law of the informant and there was no repetition of blow.

5. Learned A.P.P. for the State, on the other hand, on the basis of the material available on the record and the case diary, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that there is direct and specific allegation against the petitioner that he assaulted to the brother-in-law of the informant and he has sustained head injury and injury report of the injured person suggests that the injury is grievous in nature.

6. Considering the aforesaid facts and injured person has received grievous injury, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Mairwa P.S Case No.136 of 2023 pending in the court of learned Chief Judicial Magistrate, Siwan.



7. Prayer is refused.

(Rajesh Kumar Verma, J)

Nitesh/-

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