

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52594 of 2023

Arising Out of PS. Case No.-142 Year-2023 Thana- BHAGWANPUR District- Begusarai

Sulcharan Mahto, S/o Late Sakhichand Mahto, R/o Village- Barhi, P.S.
Bhagwanpur (Tiyay), Dist. Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashikant, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-08-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Bhagwanpur P.S. Case no. 142 of 2023 registered under sections 307, 323, 341, 379 and 504 of the Indian Penal Code.

3. As per the prosecution case, the informant states that while he was at his in-laws place, his wife's uncle started to hurl abuses and on the informant's asking him not to do so, he struck the informant with an iron rod on his head causing injuries. He also took away his gold chain.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case because of family dispute between the parties. The manner of occurrence is other than what has been narrated in the F.I.R. The



petitioner, who is addicted to wine, fell down on a hard ground and sustained injuries which have all been found to be simple in nature.

5. The application for anticipatory bail of the petitioner is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, wherein, direct allegations of assault has been made solely against the petitioner herein together with the contents of the injury report, details of which has been given in the order of the learned trial Court and wherein the informant is said to have sustained as many as seven injuries including that on his scalp, forehead and lip, the Court is not inclined to enlarge the petitioner on anticipatory bail and the application is rejected.

(Partha Sarthy, J)

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