

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52199 of 2022

Arising Out of PS. Case No.-121 Year-2022 Thana- JOGBANI District- Araria

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ASHISH KUMAR SON OF DINESH SAH VILLAGE JOGBANI, SOUTH
MAHESHWARI, WARD NO. 17, P.S. JOGBANI, DIST. ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar
For the Opposite Party/s : Mr.Rajendra Nath Jha

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 23-01-2023 Learned counsel for the petitioner is directed to remove

all the defects pointed out by the Stamp Reporter within one

month.

Heard learned counsel for the petitioner as well as

learned counsel for the informant.

The petitioner apprehends his arrest in connection with

Jogbani P.S. Case No. 121 of 2022, registered for the offences

punishable under Sections 341, 323, 324, 379, 504, 506 and 34 of

the Indian Penal Code.

As per allegation, both the parties have their own shops

side by side. It has been alleged that the family members of the

petitioner stored some utensils and other articles in front of shop of

the informant. When he prohibited, at the order of co-accused

Dinesh Sah, the present petitioner assaulted him with *dabiya* on



his head. Thereafter, Dinesh Sah assaulted him on his nose.

Learned counsel for the petitioner has submitted that both the parties are agnates. There is business rivalry and also land dispute between them. There is case and counter case. He has also submitted that the petitioner is a person of clean antecedent.

On the other hand, learned counsel for the informant has submitted that the petitioner has inflicted deadly *dabiya* blow on the head of the informant who sustained grievous injuries caused by sharp-edge weapon. He has also submitted that after the occurrence the petitioner and his family members are repeatedly threatening him and his family members.

The petitioner has sustained grievous injury on his right periorbital region by sharp-edge weapon dimension 5x2x2 cm that is attributed against the petitioner. As such, I do not think it to be a fit case for anticipatory bail. Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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