

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55227 of 2022**

Arising Out of PS. Case No.-16 Year-2022 Thana- JAMOBABAZAR District- Siwan

Ram Janam Prasad, Son of Late Shiv Sagar Prasad, R/O Village- Marachhi, P.S.- Jambhaz, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar, Advocate
For the State	:	Mr.Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 23-01-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 325, 307, 354, 379 and 504 read with Section 34 of the Indian Penal Code.

As per the prosecution case, the allegation against the petitioner is of inflicting blow of sword causing cut injury on the head of the informant.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. The allegation against the petitioner is false and fabricated. He has



further submitted that there was no intention to kill the informant. The petitioner is accused in two criminal cases as stated in para 3 of the bail petition.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner and submitting that the informant sustained grievous injury on the head caused by sharp edged weapon and he has also submitted that the specific allegation of assault is against the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the specific allegation of assault against the petitioner and the injury being grievous in nature, I am of the view that no case for grant of anticipatory bail is made out and the same is rejected with direction to the petitioner to surrender before the Court below concerned within six weeks from the date of this order and the prayer for regular bail and the learned Court below will consider his prayer for regular bail in accordance with law without being prejudiced by this order.

The application stands rejected.

(Chandra Prakash Singh, J)

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