

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58556 of 2023

Arising Out of PS. Case No.-126 Year-2023 Thana- UCHKAGAON District- Gopalganj

Upendra Singh Son Of Late Kedar Singh Resident Of Village Narkatiya P.S
Uchkagaon District Gopalganj.

... .. Petitioner/S

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-09-2023 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 504 and 34 of Indian Penal Code.

3. As per the prosecution, a case has been lodged against 3 named accused persons, including the present petitioner. An allegation has been made by the informant against all the accused persons that they had beaten the informant and his brother and assaulted them with axe, due to which injury took place on the head.

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has committed no offence. Counsel for the petitioner submits that informant and petitioner are

residents of the same village and over a petty issue the said dispute took place. Counsel submits that in the rejection of the anticipatory bail, it was acknowledged that in paragraph no.28 of the case diary the injury report was simple in nature. He submits that it is a false and concocted case due to the reason that date of occurrence is 18.04.2023 but FIR was filed after a delay of 4 days.

5. Learned APP for the State opposes the prayer for bail.

6. In the present facts and circumstances, this Court finds that the said injury report is not on record. As such, this bail application is disposed of with the direction to the Trial Court that after going through the injury report, if it finds that the injury is simple in nature then it shall grant bail to the petitioner.

(Dr. Anshuman, J.)

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