

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59171 of 2023

Arising Out of PS. Case No.-175 Year-2022 Thana- FALKA District- Katihar

=====

Rupesh Kumar Sah Son Of Late Lakhan Lal Sah Village- Bakia Dumar, Ps-
Falka Bazar, Dist- Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra
For the Opposite Party/s : Mr. Murli Dhar

=====

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

ORAL ORDER

2 22-09-2023 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.

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

3. The Petitioner is apprehending his arrest in a case in
connection with Falka (Pothia) P.S. Case No. 175 of 2022 dated
16.05.2022 registered for the offences punishable u/ss 323, 341, 324,
325, 307, 504 read with section 34 of the Indian Penal Code.

4. As per the prosecution case, the co-accused persons are
alleged to have assaulted the informant's husband with leg, fist and
lathi and the petitioner also assaulted the informant's husband on his
head, palm and knee with Dabia with intention to kill due to that he
sustained severe cut injuries.

5. Learned counsel for the petitioner has submitted that



the petitioner has falsely been implicated in this case. There is land dispute between the parties. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner and has submitted that there is specific allegation of assaulting on the head of the informant's husband who sustained grievous injury on his head caused by sharp-edged weapon. There is repetition of blows. The injured also sustained grievous injury on his palm. Altogether the informant's husband sustained four multiple injuries.

7. Considering the aforesaid facts and circumstances as well as the specific allegation against the petitioner and the injuries 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, the learned court below will consider his prayer for regular bail in accordance with law without being prejudiced by this order.

8. The application stands rejected.

(Chandra Prakash Singh, J)

guddukr/-

U		T	
---	--	---	--

