

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65357 of 2022

Arising Out of PS. Case No.-265 Year-2022 Thana- SARAIYA District- Muzaffarpur

Anil Das @ Anil Kumar Das Son Of Jageshwar Das R/O Village- Gangoliya
Bahilwara, P.S.- Saraiya, Distt.- Muzzafarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Yogesh Chandra Verma, Sr. Advocate
		Ms.Priyanka Singh
For the Opposite Party/s :		Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-05-2023 Heard both parties.

The petitioner apprehends his arrest in Saraiya P.S.
Case No. 265 of 2022, registered for the offences punishable
under Sections 307, 323 and other allied sections of the Indian
Penal Code. Later on, section 302 IPC was also added.

As per the prosecution case, this petitioner pierced
screw driver near the eye of son of informant (deceased) who
died during course of treatment.

It is submitted that though there is allegation of
piercing but no corresponding injury has been found by the
doctor. FIR has been lodged after delay of twelve days without
any plausible explanation. Similarly situated co-accused Umesh
Das has been granted bail by this Court vide order dated



20.01.2023 passed in Cr. Misc. No. 54510 of 2022. Petitioner claims clean antecedents.

Counsel for informant vehemently opposed the prayer for bail and submitted that there is specific accusation of piercing screw driver in the eye of deceased and the deceased has also named this petitioner in his dying declaration.

Considering the facts aforesaid and gravity of offence, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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