

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59512 of 2023

Arising Out of PS. Case No.-65 Year-2023 Thana- TARIYANI CHOWK District- Sheohar

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SANJEEV KUMAR S/O RAM NARESH PRASAD R/O VILLAGE-
RAJADIH, PS. TARIYANI, DIST. SHEOHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Kumar, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-10-2023 Heard Mr. Suresh Kumar, learned Counsel for the
petitioner and Mr. Bharat Bhushan, learned APP for the State.

2. The petitioner apprehends his arrest in connection with Tariyani P.S. Case No. 65 of 2023 for the offence registered under sections 447, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code lodged on 23.03.2023 by the informant, Chandra Shekhar Kumar.

3. The prosecution case, in brief, as alleged in the First Information Report is that the informant, Chandra Shekhar Kumar stated before the police on 01.03.2023 at 12:30 PM that the petitioner herein, wife and his son came at his door on



26.02.2023 at 5:00 PM and abused him as he refused to withdraw the old case. As the informant protested, the accused persons armed variously assaulted him. Allegation is that the petitioner armed with iron rod hit him on the head with an intention to kill causing serious injury on his head. Allegation against Pinki Devi is of snatching her mobile phone.

4. Further, allegation is that accused persons got signature and thumb impression of the informant under coercion. It was only due to intervention of the villagers that the life of the informant was saved. The injured was taken to Primary Health Centre, Tariyani from where he referred to Sadar Hospital, Sheohar. Due to serious condition, the informant was later referred to SKMCH, Muzaffarpur. Accordingly, the FIR.

5. Learned Counsel for the petitioner submits that earlier a case was instituted against the informant side vide Tariyani P.S. Case No. 37 of 2023 lodged by his wife and only to implicate, the present FIR.

6. Mr. Bharat Bhushan, learned APP on the other hand submits that not only the petitioner badly injured the informant, he had to remain under treatment at Tariyani, Sheohar and finally to Muzaffarpur and thus the petitioner be not granted relief.



7. From the FIR, it is clear that there is direct allegation against the petitioner of using iron rod hitting on the head of the informant, causing injury and in that background, no case of anticipatory bail is made out. The petition accordingly stands rejected.

(Rajiv Roy, J)

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