

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59146 of 2022

Arising Out of PS. Case No.-16 Year-2022 Thana- INDUSTRIAL AREA District- Vaishali

SARVOTAM KUMAR SAH @ GUPTA @ SARVOTTAM KUMAR GUPTA
Son of Satyendra Sah @ Satyendra Prasad Gupta R/O Village - Jethui, P.S.-
Industrial Area, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 20-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 143, 447, 341, 323, 325, 308 and 504 of the Indian Penal Code pending in the learned court below.

There is allegation against the petitioner to assault the informant by means of iron rod.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is case and counter case between the parties and both sides have sustained injuries. He submits that there is admitted land dispute between the parties.



He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposes the bail application and submits that the injury found upon the victim is grievous in nature which is clear from the injury report enclosed in the case diary. Hence, he does not deserve anticipatory bail.

Considering the nature of the injury, I am not inclined to enlarge the petitioner on bail in connection with Industrial Area P.S. Case No. 16/2022. Accordingly, his prayer for anticipatory bail is hereby rejected.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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