

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66631 of 2023

Arising Out of PS. Case No.-139 Year-2020 Thana- SURYAGARHA District- Lakhisarai

Rahul Kumar S/O Omprakash Rai @ Omprakash Ram R/O Village- Adupur,
P.S- Surajgarha, Distt.- Lakshisarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Prasad, Adv.

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Surajgarha P.S. Case No. 139 of 2020 dated 11.07.2020, lodged
under Sections 147, 149, 341, 323, 307, 504, 506 of the I.P.C.
read with Sections 147, 149, 341, 323, 325, 504, 506 of the
I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against nine named and five unnamed accused persons
including the petitioner. The allegation against the petitioner and
others is that they have assaulted by iron rod on the head of the
informant and his brother and upon oppose, there is allegation
of further injury on them.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that no injury found on the head from the injury report. Counsel submits that the antecedent of the petitioner is clean and he is in custody since 17.08.2023.

5. Learned counsel for the State opposes the prayer for bail submits that the injury is categorical in the F.I.R. *i.e.* two injuries on the head and in the injury report annexed as Annexure- 2 also indicates that there are two injuries on the head.

6. In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner and, therefore, his bail petition is hereby rejected.

7. However, liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge.

8. With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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