

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72752 of 2023

Arising Out of PS. Case No.-65 Year-2021 Thana- AKBARPUR District- Nawada

Upendra Chauhan, Son Of Pyare Chauhan, R/O Village -RAMPUR, P.S.-
Akbarpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Akbarpur P.S. Case No. 65/2021 dated 26.01.2021, instituted
under Sections 341, 323, 308, 354(B), 34 of the Indian Penal
Code.

3. The prosecution case, in short, is that the accused
persons including the petitioner assaulted the informant and
when informant's daughter-in-law came to save they started
teasing her and petitioner also assaulted his daughter-in-law on
his head by means of *Gandasa*.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. It is submitted that the petitioner and the informant are



close agnates and next door neighbour. It is submitted that there is dispute between the parties with regard to share of the property. It is also submitted that the petitioner has no criminal antecedent.

5. Learned APP has opposed the prayer for bail and submitted that the allegation against the petitioner is corroborated by the injury which is mentioned on page no. 2 of the impugned order. As per the impugned order, one incised wound on head of daughter-in law of the informant having diameter of 5" x 1/2" x deep bone injury caused by sharp edged weapon was found.

6. Considering the aforesaid facts and circumstances of the case and submissions of the parties, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, prayer of the petitioner for grant of anticipatory bail is rejected.

8. The application stands disposed of.

(Khatim Reza, J)

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