

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73967 of 2023**

Arising Out of PS. Case No.-129 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Vidyasagar Kumar S/O Late Ramchandra Mahto R/O Village- Mohanpur, P.S-
Kiul, Distt.- Lakhisarai, At Present Residing At Near To S.P. Residence, By
Pass Sikandra Road, P.S And Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Mahto, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 05-12-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in a case in
connection with Lakhisarai P.S. Case No. 129 of 2023 dated
22.02.2023 registered for the offence/s punishable u/ss 341, 323,
354, 307 and 504 read with section 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the
co-accused person are alleged to have abused the informant and
the petitioner assaulted the informant's husband indiscriminately
with iron rod on his head and nose causing injuries to him.



5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Learned counsel has submitted that there is case and counter case between the parties. The petitioner and the victim are the full brother. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner and submitted that there is repetition of blows due to that he got severely injured. There is specific allegation of assault against the petitioner. Learned counsel has further submitted that as per injury report, the injury is grievous in nature which is on the nose of the body. Another injury is found on the scalp of the injured.

7. Considering the aforesaid facts and circumstances of the case as well as the specific allegation and the injury being grievous in nature, I am of the view that no case for grant of anticipatory bail is made out and the same is rejected with direction to the petitioner to surrender before the Court below concerned within six weeks from the date of this order and the prayer for regular bail, the learned Court below will consider his prayer for regular bail in accordance with law without being



prejudiced by this order.

8. The application stands rejected.

(Chandra Prakash Singh, J)

guddukr/-

U		T	
---	--	---	--

