

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73804 of 2022

Arising Out of PS. Case No.-243 Year-2022 Thana- PATORI District- Samastipur

CHULHAI SHAH S/O SAKAL DEV SHAH Resident of village- Bandesh
Asli, P.S.- Shahpur Patori, District- Samastipur,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-04-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Section 307 & other allied sections of the Indian Penal Code and Section 27 of the Arms Act and later on, Section 302 of the I.P.C. was added.

Allegation against this petitioner is of commission of assault with sword on the head of husband of informant.

It is submitted on behalf of petitioner that the dispute arose between the parties over removing the encroachment from road, in which, some altercation took place. There is case and counter case. Petitioner claims clean antecedent.

However, learned A.P.P. for the State opposed the bail petition and submitted that there is direct and specific allegation against this petitioner of assaulting the husband of informant



with sword causing grievous injury and during course of treatment, the husband of informant died.

Considering the nature and gravity of the offence, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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