

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69380 of 2022

Arising Out of PS. Case No.-569 Year-2020 Thana- SONEPUR District- Saran

BITTU KUMAR Son of Late Mithlesh Rai R/v- Chakapsaid, Parmanandpur,
P.S.- Sonapur, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Saket Anand, Advocate
For the State	:	Mr. Dashrath Mehta, APP
For the Informant	:	Mr. Ansul, Advocate
		Mr. Anuj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-02-2023 Heard learned counsel for the petitioner, learned APP

for the State as well as learned counsel appearing on behalf of

the informant.

The petitioner apprehends his arrest in connection
with Sonapur P.S. Case No.569 of 2020, registered for the
offences punishable under Sections 341, 323, 324, 325, 307 and
504 of the Indian Penal Code.

The prosecution case, in brief, is that on 23.07.2020 at
around 7.30 P.M., when the informant alongwith others was
sitting at his door, co-accused, Ujjawal Kumar and petitioner,
Bittu Kumar came and started drinking wine at the door of co-
accused, Anil Rai. When Narendra Rai, brother of the informant
forbade, co-accused, Ujjawal Kumar and petitioner, Bittu



Kumar started assaulting him and when the informant intervened, the accused persons also started abusing and assaulting him. Thereafter co-accused, Anil and Shailesh Rai also reached there and caused injury on the head of the informant with iron rod. It is further alleged that co-accused, Ujjawal Kumar and petitioner, Bittu Kumar caused injuries on right hand and leg with sword. The accused persons had also fired from gun.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has got one criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that there is case and counter case between the parties and both sides sustained injuries. It is also submitted that there is general and omnibus allegation against the petitioner.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for grant of anticipatory bail to the petitioner by submitting that there is specific allegation against the petitioner that he assaulted the informant and injury was found grievous in nature, which is clear from the impugned order itself.

Taking into consideration the facts aforesaid, I am not



inclined to enlarge the petitioner on anticipatory bail.
Accordingly, the prayer for grant of anticipatory bail to the
petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

S.KUMAR/-

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

