

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72560 of 2022

Arising Out of PS. Case No.-261 Year-2022 Thana- BASANTPUR District- Siwan

BIR BAHADUR @ BIR BAHADUR KUMAR Son of Birendra Rai R/V-
Balaadharpur, P.S- Lakdinabiganj O.P, Dist- Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Basantpur (Lakdinabiganj O.P.) P.S. Case No.261 of 2022, registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506 and 34 of the Indian Penal Code.

The petitioner is said to have assaulted the informant by means of *farsa* on her head causing bleeding injury.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that petitioner and informant are agnates and there is admitted land dispute between the parties.



The learned APP for the State 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 by means of *farsa* on her head and the injury was found grievous in nature (Annexure-2 of the bail petition).

Considering the nature of injury, 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.

However, if petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the learned court below shall consider the prayer for regular bail of the petitioner preferably on the same day without being prejudiced by this order of rejection.

(Anjani Kumar Sharan, J)

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