

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.6463 of 2024

Arising Out of PS. Case No.-300 Year-2023 Thana- MUSAHARI District- Muzaffarpur

Ram Prakash Sah @ Ravi Kumar @ Ram Prakash S/o- Ram Babu Sah
Village- prahaladpur ps- mushahari, Dist- Muzaffarpur Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Kumar, Advocate

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 08-05-2024 Heard Mr. Sumit Kumar, learned counsel for the
practitioner and the State.

2. The petitioner is apprehending arrest in connection with Mushahari P.S. Case No. 300/2023 instituted under Sections 323, 324, 307/34 of the Indian Penal Code lodged on 14.10.2023 by the informant, Sunjay Kumar.

3. As per the prosecution story, the informant alleged that upon knowledge that his brother has been seriously injured due to assault, rushed to the place of occurrence and found him in a pool of blood with multiple injuries in the stomach. He informed that this petitioner has assaulted him, he became unconscious, taken to Medanta Hospital, Patna for treatment and later, having found the treatment to be expensive took him back to Muzaffarpur and got him admitted in a private nursing home. Thereafter, the FIR.

4. Learned counsel for the petitioner submits the occurrence took place on 11.10.2023 while the FIR was lodged



on 14.10.2023, there is case and counter case and in that background, exaggerated allegation has been made against this petitioner.

5. Learned APP on the other hand submits that a bare perusal of the FIR would show that the informant has alleged that after informing the Police, he went to Patna and later, returned on 12.10.2023 and after admitting him in a nursing home lodged the FIR and as such the delay has been explained. He further submits that the injured himself gave the name of the petitioner as the person who gave the multiple injuries in his stomach.

6. Considering the kind of allegation that has come against the petitioner herein of giving number of knife blows to the informant's brother who was rushed to Patna and then back to Muzaffarpur and as per the report, critical care needed his case, no relief can be granted to him, the petition stands rejected.

(Rajiv Roy, J)

Ravi/-

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

