

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 11269 of 2024

Arising Out of PS. Case No.-320 Year-2023 Thana- DURAULI District- Siwan

Upendra Singh S/O Late Balbhadra Singh R/O Village- Mura Karmaveer, P.S-
Darauli, Distt.- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Adv.
For the Opposite Party/s : Mr. Lalan Kumar, APP
For the Informant/s : Mr. Ajay Kumar Pandey, Adv.
Ms. Shyama Rani, Adv.
Mr. Sandeep Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Darauli P.S. Case No. 320 of 2023, dated 19.11.2023 registered for the offences punishable under Sections 147, 341, 323, 307, 379, 504, 427 and 506 of the Indian Penal Code.

3. As per prosecution case, the allegation against the petitioner is that he assaulted upon the head of Dharmendra Singh by means of *Gajbena*, as a result of which he sustained injury.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and has committed no offence as

alleged in the F.I.R. The petitioner bears no criminal antecedent. There is a case and counter case between both the parties on the same date of occurrence and the petitioner himself got treated his son, who has been injured by the injured person Dharmendra Singh.

5. Learned counsel for the informant and learned A.P.P. for the State vehemently opposed the prayer for anticipatory bail of the petitioner and submits that there is direct allegation against the petitioner, who is said to have assaulted Dharmendra Singh by means of *Gajbena* on the head and in the impugned order, it has been mentioned that injury sustained by the victim on the head is at the right side of parietal bone of skull which is grievous in nature.

6. Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner as well as material available on record, I am not inclined to grant anticipatory bail to the petitioner and accordingly his prayer for anticipatory bail stands rejected.

(Alok Kumar Pandey, J)

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