

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26619 of 2024**

Arising Out of PS. Case No.-415 Year-2023 Thana- MIRGANJ District- Gopalganj

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Himanshu Kumar Singh Son Of Shri Bhagwan Singh @ Shree Bhagavan
Singh Resident Of Village - Harkhauli Purab Tola, Police Station - Mirganj,
District - Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Rai Sharma

For the Opposite Party/s : Mr. Ajay Kumar No. 2

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 14-05-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Mirganj P.S. Case No. 415 of 2023 registered for the
offences punishable under Sections 341, 323, 325, 307, 379,
504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and has been falsely
implicated in the instant case by the informant with an
allegation that while the informant was constructing his house
when Ram Ekbal Singh came and kicked him, on account of
which he fell down, thereafter, petitioner started assaulting him
indiscriminately by *danda* on the backside of his head, chest and
his legs, on account of which his right leg and rib of the chest
got fractured.

4. The learned counsel for the petitioner submits that



though there is allegation of assaulting the informant by the petitioner by *danda* causing fracture of right leg and rib cage of the informant, but then the informant himself fell in the septic tank which was being constructed as a result of which he suffered injury and took the same as an opportunity to implicate the accused persons including the petitioner.

5. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that by mere fall such injury cannot be inflicted. It is also submitted that there is direct allegation against this petitioner of assaulting indiscriminately causing injury to informant on his right leg and rib cage which got fractured and the injury is grievous in nature.

6. Considering the submissions made by the learned APP for the State, the Court is inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the present anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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