

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28439 of 2024

Arising Out of PS. Case No.-372 Year-2023 Thana- NARPATGANJ District- Araria

Shamser Alam @ Shamser Sah @ Samser Alam, Son of Muslim Sah, R/o
Village- Basmatiya, Ward No. 1, P.S. Basmatiya O.P. (Narpatganj), District-
Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Naushaduzzoha, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Narpatganj (Basmatiya O.P.) P.S. Case No. 372 of 2023,
instituted under Sections 341, 323, 324, 307, 504, 506/34 of the
Indian Penal Code.

3. As per the prosecution case, accused persons
including the petitioner attacked on the informant. It is alleged
that petitioner wrapped *Gamchha* in the neck of the informant
and dragged him and told other accused persons to kill him on
which all the accused persons assaulted the informant with fists
and kicks. It is further alleged that the petitioner inflicted injury
in the abdomen of Nasim by blow of dagger, who was brought
at Birpur (Supaul) Govt. Hospital for his treatment.



4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that the informant and all the accused persons including the petitioner are co-villager and there was a hot talk and during pushing to each other injured Nasim fell down on iron bar and sustained injury in his abdomen. He further submits that injury on the injured Nasim is grievous in nature but the same has not been caused by the petitioner. Petitioner has one criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant opposing the prayer for anticipatory bail submits that there is specific allegation against the petitioner of causing injury in the abdomen of Nasim by dagger blow which is corroborated by the medical evidence and he is not entitled for anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case, the prayer for anticipatory bail of the petitioner stands rejected.

(Sunil Dutta Mishra, J)

rakhi/-

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

