

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49458 of 2024

Arising Out of PS. Case No.-104 Year-2024 Thana- CHAPRA TOWN District- Saran

Rajnish Kumar @ Rajnesh Kumar Son of Chandra Bhushan Prasad Resident
of Village - Titira, P.O.- Tole Hanuman Nagar, P.S.- Mairawan, District -
Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Pramod Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Chandra Bhushan Prasad, APP
For the Informant :	Mr. Manoj Kumar, Advocate
	Mr. Dharmendra Kumar Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 27-09-2024 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner apprehends arrest in Chapra Town
P.S. Case No. 104 of 2024, registered under Sections 341, 323
324, 307/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioner
along with other co-accused persons assaulted the friend of
informant namely Umesh Kumar Yadav. When the informant
came to save his friend, the petitioner assaulted the informant on
his forehead by means of knife and fled away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. Learned counsel for the petitioner further submits that several cases are pending between the parties. As per FIR and injury report, the victim sustained simple injury caused by hard and blunt substance. The petitioner has got three criminal antecedents in which he is on bail.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Learned APP for the State further submits that there is specific allegation of assaulting the informant by means of knife on his forehead against the petitioner. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioner.

7. The prayer is rejected. However, the petitioner is directed to surrender in the Court below and pray for regular bail. If any such application is filed, the Court below shall consider and dispose of the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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