

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45412 of 2024

Arising Out of PS. Case No.-560 Year-2023 Thana- NAUBATPUR District- Patna

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Santosh Kumar S/o Late Ram Kishore Singh R/o vill - Dariyapur, P.S. -
Naubatpur, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar Tiwary
For the Opposite Party/s	:	Mr. Dilip Kumar No.1, APP
For the Informant	:	Mr. Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-08-2024 Heard Mr. Dhananjay Kumar Tiwary, learned counsel for
the petitioner, Mr. Rajesh Kumar, learned counsel for the
informant and Mr. Dilip Kumar No.1, learned APP for the State.

2. The petitioner apprehend his arrest in connection with
Naubatpur P.S. Case No.560 of 2023, registered for the offence
punishable under Sections 341, 323, 307, 354(B), 504, 506, 34
of the Indian Penal Code.

3. The allegation against the petitioner is that he and other
co-accused persons went to the house of informant and abused
him. When he objected, the co-accused Surender gave order to
the petitioner to kill the informant and his family members.
Thereafter, petitioner brutally assaulted the informant and his



family members.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is an admitted land dispute between the parties and both sides are agnates. Petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail by submitting that there is specific allegation against the petitioner to assault the injured person due to which he sustained grievous injury.

6. Having regard to the facts and circumstances of the case, since, the injury of the injured is of grievous nature, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law considering that the



petitioner has no criminal antecedent and there is a land dispute
between the parties.

(Anjani Kumar Sharan, J)

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