

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51457 of 2024

Arising Out of PS. Case No.-25 Year-2024 Thana- Geedha District- Bhojpur

Laddu Rai S/o Late Ramdhyan Rai R/o Village- Janpur, P.S.- Gidha, District-
Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Gidha P.S. Case No. 25 of 2024 dated 30.04.2024, lodged under Sections 341, 323, 354(B), 307, 504, 506, 34 of the Indian Penal Code pending before the learned Chief Judicial Magistrate, Bhojpur at Ara.

3. As per the prosecution story, FIR has been lodged against 10 named accused persons including the present petitioner. The allegation against the present petitioner is that he has assaulted by iron rod on the head of victim Swarth Rai due to which injury took place.

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



also submits that from the contents of the FIR, it is clear that after assault by the petitioner on the victim Swarth Rai, blood was oozing out, but from the injury report as mentioned in the impugned order, only pain and swelling has been found. Counsel further submits that the dispute has been caused due to local village politics and both the parties are well-known to each other. Counsel submits that the criminal antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that cut injury is already indicated in the impugned order by virtue of size and in addition to that, pain and swelling has also been acknowledged.

6. Upon perusal of the rejection order, it transpires to this Court that the Additional Sessions Judge-IV, Bhojpur at Ara has acknowledged in the order sheet that the injury size on the left side of the head of the victim is 2"x1/2"x1/2" and therefore, the submissions made by the counsel for the petitioner is hereby not accepted in view of this Court.

7. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected with liberty granted that in case, he



surrendered within four weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day observing the injury without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court.

(Dr. Anshuman, J)

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