

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59920 of 2024

Arising Out of PS. Case No.-576 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Anish Kumar son of Laxmi Mahto village- Ward no. 10 Nagdah, Ps- Muffasil
(singhaul op), Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Randhir Kumar No 1, Adv.
For the Opposite Party/s : Ms. Madhuri Lata, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 04-10-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in
connection with Muffasil P.S. Case No. 576 of 2023 dated
03.10.2023 registered for the offences punishable u/ss 143, 341,
323, 307, 379, 504, 385 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have come to the shop of the
informant and demanded rupees. On being objected by the
informant, they abused him and the co-accused, Rama Nand
Mahto gave blow of butt of the pistol on the informant due to
which he sustained injury. The co-accused persons, Hare
Krishna Mahto and Nandan Kumar assaulted the informant with



lathi, fists and slaps. When the informant's brother came to rescue then the petitioner assaulted with butt of pistol due to which he sustained injury and the co-accused persons, Nandan Kumar and Sitaram Mahto also assaulted him. The co-accused, Raja Kumar snatched Rs. 1,25,000/- and the co-accused, Hare Krishna Mahto snatched Rs. 5000/- from the pocket of the informant and the co-accused, Kundan Kumar snatched gold chain.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The occurrence took place on 26.09.2023 but the F.I.R. was lodged on 03.10.2023 and there is no explanation for this delay. There is a case and counter case between the parties. It is further submitted that there is land dispute between the parties. It is further submitted that the petitioner has no concern with the alleged occurrence. The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner. As per the injury report the injury is grievous in nature caused by hard and blunt substance.

6. Considering the aforesaid facts and circumstances



of the case as well as the specific allegation against the petitioner and the injury being grievous in nature, I am of the view that no case for grant of anticipatory bail is made out. The petition is rejected and the petitioner is directed to surrender to the Court below within six weeks from the date of this order and the Court below shall consider the prayer of the bail of the petitioner on the same day without being prejudice by this order.

7. This application is rejected.

(Chandra Prakash Singh, J)

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