

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62644 of 2024

Arising Out of PS. Case No.-328 Year-2024 Thana- GAUTAMBUDHNAGAR District-
Siwan

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1. Jai Prakash Bhagat @ Jay Prakash Bhakta S/o Dinanth Bhagat @ Dina Nath Bhakt Resident of Village - Dihiya, P.S. - G.B. Nagar, District - Siwan
 2. Praduman Kumar S/o Tilak Manjhi R/o vill - Ukhai, P.s. - Pachrukhi, Distt. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.

For the Opposite Party/s : Mr. Mohammad Sufyan, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-10-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. Learned counsel for the petitioners seeks permission to
withdraw this application in respect of petitioner no.1,
submitting that during pendency of this application petitioner
no.1 has been apprehended by the police.

3. Permission is granted.

4. Accordingly, this application is dismissed as withdrawn
in respect of petitioner no.1.

5. Now this application survives for petitioner no.2 only.

6. Petitioner apprehends his arrest in connection with
G.B. Nagar P.S. Case No. 328 of 2024 registered for the



offences punishable u/s 143, 341, 323, 325, 307, 379, 504, 506 of the IPC.

7. Allegedly, all the FIR named accused persons including the petitioner are said to have assaulted the informant's side brutally by means of deadly weapons due to which they sustained injuries.

8. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. Both the parties are agnates and there is admitted land dispute between them. There is no eye witness or independent witness to the alleged occurrence, except the informant and her daughters. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

9. Learned APP for the State opposes the prayer for bail and submits that there is serious allegation against the petitioner to assault the informant by means of *lathi* due to which she sustained injury and her left hand got fractured.

10. Considering the facts and circumstances of the case as well as the nature of the injury caused by the petitioner to the



informant, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

11. Accordingly, this application stands dismissed.

(Anjani Kumar Sharan, J)

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