

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72101 of 2024

Arising Out of PS. Case No.-128 Year-2024 Thana- MOHAMMADPUR District- Gopalganj

Jaiki Singh Son of Jamadar Singh R/o - Gauri, P.S - Mohammadpur, District-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 22-11-2024 Heard Mr. Umesh Kumar Singh, learned counsel

for the petitioner and Mr. Rina Sinha, learned APP for the

State.

2. The petitioner apprehends his arrest in connection with Mohammadpur P.S. Case No. 128/2024 dated 26.05.2024 registered for the offences punishable under Sections 341, 323, 325, 307, 354B, 379, 504, 506, and 34 of the Indian Penal Code.

3. The main submissions advanced by the learned counsel for the petitioner are that admittedly, there is a land dispute in between both the parties, as per the FIR, this petitioner inflicted an iron rod blow at the hand of the informant's wife resulting in fracture of her hand, but, there



is no allegation against the petitioner to have assaulted the injured person repeatedly or on her vital part of the body. The other alleged offence under section 307 of the IPC does not attract against him and the offence under section 325 of IPC under which the FIR has been registered, only attracts against this petitioner's act and the said offence is a bailable offence.

4. On the other hand, Mr. Rina Sinha, APP, appearing for the State opposed the bail prayer and submitted that there is a serious allegation against the petitioner as he caused fracture injury to the informant's wife and the same got corroborated from the injury report and the punishment for offence punishable under Section 325 is 7 years of imprisonment.

5. Considering the above submissions and the seriousness of the allegation appearing against the petitioner as he caused fracture injury to the hand of the informant's wife and the same gets support by her injury report, in my opinion it is not a fit case for the grant of anticipatory bail, accordingly, petitioner's prayer is rejected.

6. However, considering the above stated facts and



submissions, the petitioner is given a liberty to surrender before the trial court, if he surrenders within four weeks from today then the learned trial court shall decide his regular bail prayer as early as possible, keeping in view the major offence which attracts against him without being prejudiced by this rejection order.

(Shailendra Singh, J)

Siddharth Soni/-

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