

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66245 of 2024

Arising Out of PS. Case No.-150 Year-2023 Thana- GAMAHARIYA District- Madhepura

Dilkhush Kumar Son of Sudhir Singh Residnet of Village- Ekparha, Ward No
1, P.S.- Gamhariya, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Gamhariya P.S. Case No. 150 of 2023 registered for the offences punishable under Sections 324, 307 of the Indian Penal Code.

3. As per written report, the accusation has been made against the petitioner is of inflicting knife blow in the abdomen of the son of the Informant/Rahul Kumar, causing grievous injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He further submits that as the petitioner was not



caught on the spot, nothing incriminating has been recovered from his conscious possession. There is no eye-witness to the alleged occurrence. Even the Informant is not the eye-witness. The petitioner has one criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioner has no concern with the alleged occurrence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner, stating that the the Informant in his re-statement has specifically named the present petitioner. The injury report supports the prosecution case. He further submits that the specific allegation of assault is against the petitioner by knife. The offence alleged against the petitioner is serious in nature and, hence, he does not deserve privilege of grant of anticipatory bail.

6. Considering the entire facts and circumstances of the case as also there being specific allegation of assault by knife against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner, above named, is rejected. If the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the



court below in accordance with law without being prejudiced by
the order of this Court.

(Rudra Prakash Mishra, J)

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