

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68409 of 2023

Arising Out of PS. Case No.-197 Year-2021 Thana- KALYANPUR District- Samastipur

GAURAV KUMAR @ SAURAV SON OF NUNU PRASAD SINGH
RESIDENT OF VILLAGE- BIRSINGHPUR, PS- KALYANPUR, DISTT-
SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad, Adv.

For the Opposite Party/s : Mrs.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-01-2024 Heard learned counsel for the parties.

2. Petitioner apprehends his arrest in connection with Kalyanpur P.S. Case No.197 of 2021, registered for offence u/s 147, 148, 149, 341, 323, 307, 325, 379, 504, 385 of the IPC.

3. Allegedly, the F.I.R. named accused persons including the petitioner is said to have assaulted the informant by means of various weapons. The petitioner along with one Nunu Prasad is said to have assaulted the informant with iron rod.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence. He has been falsely implicated in this case due to ulterior motive. No such occurrence in the manner as alleged has ever taken place. There is general and omnibus allegation against the petitioner. In fact, in continuation of an altercation regarding



land dispute, a scuffle took place between the parties, for which there is a case and counter-case between the parties and both sides have sustained injuries. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that there is specific allegation against the petitioner and one co-accused to assault the informant with iron rod and his injury report at Annexure-P/2 suggests that the injury no.1 was found grievous in nature.

6. Considering the aforesaid facts and circumstances and the nature of injury, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

8. However, petitioner is at liberty to surrender before the learned Court below within a period of six weeks and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law, considering that the petitioner has no criminal antecedent.

(Anjani Kumar Sharan, J)

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