

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68426 of 2024

Arising Out of PS. Case No.-257 Year-2024 Thana- LAHERIMUHALLA District- Nalanda

Md. Mister S/o Md. Aslam R/o Village- Gagandiwan, PS- Laheri, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate
For the Opposite Party/s : Mr. Rina Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Laheri P.S. Case No. 257 of 2024 instituted for the offences under Sections 341, 323, 307, 379, 447, 504, 506, 34 of the Indian Penal Code.

3. Allegation against the petitioner is of assaulting the informant with iron rod on his head with intention to kill him, due to which he sustained injuries.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case.



Learned counsel further submitted that there is specific allegation against the petitioner but there is no independent witness has seen the petitioner with iron rod and hitting the informant with an iron rod. Learned counsel for the petitioner further submitted that no iron rod was recovered from the possession of the petitioner. Learned counsel further submitted that injury sustained by the informant is simple in nature. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that there is specific allegation against the petitioner of assaulting the informant by means of iron rod.

6. Considering the facts and circumstances of the case and taking into account the specific allegation against the petitioner of giving iron rod blow on the head of the informant, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. However, liberty is granted to the petitioner to surrender before the learned trial Court and seek regular bail. If any such application is filed, the learned trial Court shall



consider the same on its own merit without being prejudiced by
this order.

(Rudra Prakash Mishra, J)

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