

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69906 of 2023

Arising Out of PS. Case No.-206 Year-2023 Thana- RUNISAIDPUR District- Sitamarhi

Pramod Ram, S/o Dahaur Ram R/o Village- Shivnagar, P.O.- Raksia, P.S-
Runisaidpur, Distt.- Sitamarhi.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Devendra Kumar, Advocate
For the Opposite Party/s	:	Mr. Navin Kumar Pandey, APP
For the informant	:	Mr. Hans Lal Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 27-02-2024

1. Heard learned counsel appearing on behalf of the petitioner, learned Additional Public Prosecutor appearing on behalf of the State and learned counsel appearing on behalf of the informant.

2. The accused/petitioner is named in F.I.R. and apprehending his arrest in connection with Runnisaidpur P.S. Case No. 206 of 2023, registered for the offences punishable under Sections 341, 323, 324, 307, 504/34 of the Indian Penal Code.

3. The allegation against above named petitioner is to assault son of informant by knife while he was sleeping on intervening night of 17.04.2023, where occurrence is alleged to



be arises out of previous enmities founded out of dispute regarding fishing net.

4. Learned counsel appearing on behalf of the petitioner submitted that the informant is not the *eye-witness* of the occurrence and entire allegation is founded upon hearsay input. It is submitted that the most of the injuries as alleged to be caused appears on non-vital part of the body and with such injuries, it cannot be gathered that petitioner was under intention to cause death of injured son of informant, which is a prime consideration to attract a case *prima facie* under Section 307 of the Indian Penal Code. While concluding argument, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP, duly assisted by learned counsel appearing on behalf of the informant, while opposing the prayer of bail submitted that this is a case of repeated assault, where son of informant assaulted by knife, causing multiple injuries. It is also submitted that the injuries were found grievous and caused by sharp materials, which appears corroborating with the version of informant regarding nature of weapons alleged to cause injuries during the occurrence.

6. Considering the facts and circumstances, as there is allegation of repeated assault, where injuries were found



grievous in nature, accordingly, the prayer of anticipatory bail of
petitioner is rejected herewith.

(Chandra Shekhar Jha, J)

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