

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74922 of 2023**

Arising Out of PS. Case No.-1090 Year-2022 Thana- AHIYAPUR District- Muzaffarpur

Rajendra Prasad S/O Late Ramvriksha Prasad, R/o Village- Shivrahan  
Manjhauliya, PS- Ahiyapur, Dist. Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocate

For the Opposite Party/s : Mr. Chandra Shekhar Anand, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      29-02-2024                      Heard Mr. Chandra Shekhar Anand, the learned  
counsel for the petitioner and Mr. Chandra Shekhar Anand, the  
learned Additional Public Prosecutor for the State.

2.              The petitioner is apprehending his arrest in  
connection with Ahiyapur PS Case No. 1090 of 2022, FIR dated  
29.11.2022, registered for the offences punishable under  
Sections 447, 341, 323, 307 and 324 read with Section 34 of the  
Indian Penal Code.

3.              According to prosecution case, the accused persons  
assaulted the informant due to a dispute regarding cutting of soil  
near a cemetery. It is further alleged that the petitioner Rajendra  
Prasad, inflicted spade blow on the head of the informant due to  
which he sustained injury.

4.              Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that upon perusal of the FIR, it appears that there is specific allegation attributed against this petitioner that he has assaulted the informant with spade and the injury report of the informant suggests that the injury is grievous in nature.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that injury of the informant was found to be grievous in nature.

6. In view of the aforesaid, I am **not** inclined to grant the privilege of anticipatory bail to the petitioner in connection with Ahiyapur PS Case No. 1090 of 2022 pending in the Court of learned Chief Judicial Magistrate, Muzaffarpur.

7. Prayer is refused.

**(Rajesh Kumar Verma, J)**

Shahnawaz/-

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