

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79123 of 2024

Arising Out of PS. Case No.-273 Year-2024 Thana- RUNISAIDPUR District- Sitamarhi

Md. Ujale @ Ujale Son of Md. Riyajad @ Reyajat Resident of village
-Rasalpur Malmalla, P.S. - Runnisaidpur, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate

For the Opposite Party/s : Mr.Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 09-12-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Runnisaidpur PS case no. 273 of 2024, disclosing
offences punishable under Section 126(2) and other allied
sections of the B.N.S. Act, 2023.
3. The prosecution story, as per the First Information
Report, is that on 17.07.2024 at about 7 pm, when the informant
along with his niece was returning after seeing the fair of
Moharram, on account of long-standing land dispute, the
accused persons including the petitioner caught hold the collar
of informant and co-accused Ubaid assaulted on the abdomen of
the informant, due to which, his intestine came out and the



informant also sustained injury in his thigh. It is further alleged that when sons of the informant came to rescue him, they were also assaulted by dagger blow causing injuries to them.

4. Learned Counsel for the petitioner submits that petitioner has falsely been implicated in this case due to dirty village politics. Learned counsel further submits that the specific allegation of assault with dagger blow is on the co-accused Md. Ubaid and not on the petitioner. He next submits that there is delay in lodging of F.I.R., inasmuch as the occurrence took place on 17.07.2024, however the F.I.R. has been registered on 01.08.2024 and there is no proper explanation about the delay. The petitioner is stated to be having no criminal antecedent.

5. Heard learned counsel for the parties. From perusal of injury report, annexed as Annexure-2 to the present petition, it appears that the informant has sustained stab wound on the abdomen with bowels loop outside the peritoneal cavity of size 14x10 cm, due to which, his intestine came out. The doctor has opined the nature of injury as grievous. It also appears that though co-accused Md. Ubaid has inflicted dagger blow on the informant but the petitioner has helped him in committing the offence, inasmuch as he caught hold the informant.



Accordingly, I am not inclined to grant anticipatory bail to the petitioner.

6. The prayer of the petitioner for grant of anticipatory bail is rejected.

(Anil Kumar Sinha, J)

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