

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85847 of 2024

Arising Out of PS. Case No.-370 Year-2024 Thana- DARAUNDA District- Siwan

Santosh Sah @ Santosh Kumar Sah Son of Banaras Sah Resident of Village-
Raini, PS- Daraunda, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Dubey, Advocate
		Mr. Nawnit Kumar Tiwary, Advocate
For the Opposite Party/s :		Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-12-2024 Heard learned counsel for the petitioner and learned A.P.P.

for the State

2. The petitioner apprehends his arrest in Daraundra P.S. Case No. 370 of 2024 registered for the offences punishable under Sections 126 (2), 115 (2), 118 (2), 352 & 3 (5) of the Bharatiya Nyaya Sanhita, 2023.

3. The petitioner along with other co-accused is said to have attacked on the sister of the informant by means of knife sustaining injury in her elbow and four fingers.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature.



Both the parties are agnates and due to previous enmity not only the petitioner but whole family has been made accused in this case. It is further submitted that there is no eye witness of the said occurrence. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that there is direct allegation against the petitioner of assaulting and the injury is grievous in nature. Hence, the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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