

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86219 of 2023

Arising Out of PS. Case No.-422 Year-2023 Thana- ARWAL District- Jehanabad

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Girija Singh, Son of Ram Babu Yadav, Resident of village - Chhotki Dangra
Aahar, P.S.- Arwal, District- Arwal. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner in the present case is seeking pre-arrest bail
in connection with Arwal P.S. Case No. 422 of 2023 registered for the
offences punishable under Sections 323, 341, 307, 324, 379, 427 of the
Indian Penal Code. He has got no criminal antecedent.

3. As per the prosecution story, on 15.08.2023 at 07:15 P.M.
when the informant was at his shop, all of a sudden, five named
accused persons along with ten unknown accused persons came there
and attacked him. It is alleged that Girija Singh (this petitioner)
assaulted the informant with iron rod due to which his right hand got
fractured. It is also alleged that all the accused persons brutally
assaulted the informant and the shop owner and looted Rs.23,000/- and
DJ machine from the shop and also damaged the shop resulting in loss
of Rs.2,000,00/-.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this case due to

village politics. It is submitted that the informant is a drunkard and he fell down in drunken condition due to which his left hand became fractured. A copy of the injury report is enclosed as Annexure ‘2’ which shows diffuse swelling and deformity in the left arm and the X-Ray of the relevant part was done in the Sadar Hospital, Arwal which shows fracture of mid shaft of left humerus.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the allegation that this petitioner has assaulted the informant by an iron rod, though there is a discrepancy to the extent that the informant claims that he had suffered the injury on his right hand but the injury report shows fracture on mid shaft of left humerus which is grievous in nature, this Court is of the opinion that there being a specific allegation of causing grievous injury to the informant, the petitioner does not deserve privilege of anticipatory bail.

7. The prayer for anticipatory bail of the petitioner is, thus, refused but in case the petitioner surrenders and prays for regular bail in the learned court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudice by the order of this Court.

8. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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