

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20033 of 2024

Arising Out of PS. Case No.-128 Year-2023 Thana- BACHHWARA District- Begusarai

Pramod Rai SON OF PRADEEP RAI RESIDENT OF VILLAGE-
CHIRAIYATOL, PS- BACHHWARA, DISTT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav
For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 04-07-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in connection with Bachhwara P.S. Case No. 128 of 2023 registered for the offences punishable under Sections 341, 323, 324, 325, 307, 504, 506 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that a supplementary affidavit has been filed wherein it has been recorded that petitioner has antecedent of one case.
4. In view of the submissions made by the learned counsel appearing on behalf of the petitioner, the defect pointed out by the office stands removed.
5. Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the instant case by the informant. It is next submitted that informant alleges that the accused persons including the petitioner came and assaulted the side of the informant and petitioner along with Ram Pravesh Rai are alleged to have assaulted Bhushan Rai by *Gandasa* and sword respectively on vital part of his body i.e. neck. It is further submitted that from perusal of the injury report of Bhushan, it would manifest that he received lacerated wound on right side of head measuring 3'x1/2'x1/4' by hard and blunt substance and the nature of injury is reserved. It is further submitted that it is alleged that this petitioner assaulted Bhushan Rai along with Ram Pravesh Rai by *Gandasa* and sword, but then the injury report records that the injury has been caused by hard and blunt substance

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the allegation of assault is on the vital part of the body and the opinion with respect to the injury is reserved, which amply demonstrates that the injury is not simple. It is further submitted that though the injury is said to have been caused by hard and blunt substance, but it might be a possibility that the petitioner assaulted the injured by sword but not from the sharp side.



7. Considering the submissions made by the learned APP for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

8. Accordingly, the present anticipatory bail application stands rejected.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

