

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1134 of 2024

Arising Out of PS. Case No.-863 Year-2019 Thana- MADHAURAH District- Saran

Daroga Ray @ Daroga Rai S/O Parbhunath Ray R/o Vill-Motha, Ps-Nagra,
Po-Nagra, Dist-Chapra, Saran 841442 Petitioner/s

Versus

The State of Bihar

.. ... Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Raushan, Advocate
	:	Mr. Sahil Kumar, Advocate
For the Opposite Party/s	:	Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-04-2024 Heard Mr.Raushan, learned counsel for the petitioner
and Mr.Bhanu Pratap Singh, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Marhowrah (Gaura O.P.) P.S. Case No.863 of 2019, FIR dated 16.12.2019 registered for the offences punishable under Sections 341,323,325,506 and 34 of IPC and later on Section 307 of IPC was added.

3. Allegation against the petitioner is that he assaulted with Daab to the informant causing injury on his head.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed



any offence as alleged in the FIR and the petitioner is on bail by the learned court below itself and he has not misused the privilege of bail granted by the learned court below itself but later on the chargesheet has been submitted under Section 307 of IPC.

5. Learned A.P.P. for the State, on other other hand, on the basis of the material available on the record and the case diary, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that from a bare perusal of the FIR it appears that there is direct and specific allegation against the petitioner that he assaulted with Daab to the informant and the informant has received injury and from a bare perusal of the injury report of the informant which suggests that although the informant has received two injuries and out of two injuries, injury No.1 is grievous in nature and injury No.2 is simple in nature. Injury No.1 is reproduced below:

(1) Sharp cut head injury on mid parietal region posterity, length of wound about 1 ½ ‘ inch and bone touch depth with profuse bleeding from wound. Margin of wound was regular”.

6. Considering the aforesaid fact and there is direct and specific allegation against the petitioner that he assaulted



with Daab to the informant and the injury report of the informant suggests that the informant has received grievous injury, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Marhowrah (Gaura O.P.) P.S. Case No.863 of 2019 pending in the court of learned Judicial Magistrate, First Class, Chapra, Saran.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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