

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3221 of 2024

Arising Out of PS. Case No.-51 Year-2022 Thana- AMNAUR District- Saran

Ramkumar @ Ramkumar Bhagat S/o Kedar Bhagat R/O Village- Firojpur,
P.S.- Amnour, Distt- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Arjun Kumar, S/O Sarvanand Bhagat, R/O Village- Firojpur, P.S. Amnour,
District-Saran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shekhar Harshvardhan, Adv.
For the State	:	Mr. Jai Narain Thakur, APP
For the O.P. No. 2	:	Mr. Bishwajeet Singh, Adv. Mr. Kundan Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 17-05-2024 Heard the parties.

2. The petitioner apprehends his arrest in connection with Amour P.S. Case No. 51 of 2022 registered under Sections 147, 149, 323, 324, 307, 354, 379, 504, 506, 447 and 34 of the Indian Penal Code.

3. As per prosecution case, all the F.I.R. named accused persons including this petitioner assaulted the informant by means of lathi, danda, iron rod and brick, as a result of which, informant sustained head injury. It is further alleged that the accused persons also assaulted the mother of the informant due to which she sustained leg injury and accused persons also stole one lakh rupees.



4. Learned counsel appearing on behalf of the petitioner submits that both parties are agnates and next door neighbours. There is land dispute between the parties for which Partition Suit No. 558 of 2022 is also pending. On the alleged date, petitioner was fishing in his own pond and informant and others reached there and started assaulting petitioner and others. Upon protest, both sides sustained injuries. Case and counter case. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State and learned counsel for the opposite party no. 2 opposed the prayer for bail by contending that there is direct allegation of assault against the petitioner and has caused head injury to the informant by means of iron rod. The doctor has found the injury grievous in nature. Hence, petitioner does not deserve the privilege of anticipatory bail.

6. Having considered the facts and circumstances of the case and the nature of injury, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for bail is rejected.

(Prabhat Kumar Singh, J)

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