

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6524 of 2024

Arising Out of PS. Case No.-635 Year-2023 Thana- KANTI District- Muzaffarpur

MD. SADDAM KHAN SON OF LATE JAHANGIR KHAN RESIDENT OF
VILLAGE - DAMODARPUR, HOUSING BOARD, P.S. - KANTI,
DISTRICT - MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 17-05-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Kanti P.S. Case no. 635 of 2023 registered under sections 307, 341, 323, 324, 452, 380, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that hearing the cries of her mother, she woke up. On going to her room, she found the petitioner and one another present there. The petitioner had caught hold of the leg of the informant's mother while the other accused assaulted her with knife causing grievous injuries.

4. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the case. Even as per the allegations, the allegation of assault is not on the petitioner but on the co-accused. The petitioner has no criminal antecedent and undertakes to cooperate in the trial.

5. The application for anticipatory bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and having perused the material on record, it transpires that not only the petitioner is named in the FIR but is said to have actively participated in the occurrence. In the assault by *garasa* caused by the accused, the injured is said to have sustained grievous injuries with fracture of her forehead bone and spine.

7. In the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on anticipatory bail and the application is rejected.

8. The petitioner is directed to surrender in the learned Court below within a period of four weeks.

(Partha Sarthy, J)

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