



levelled in the FIR in question. It has been asserted by the learned State counsel that it is a matter of record that after the petitioner was inflicted injuries by the accused including the petitioner, who was armed with a sword, he had been rendered unconscious; it was only on 20.09.2024, after the injured regained consciousness that he got his statement recorded under Section 161 Cr.PC wherein he categorically detailed the entire occurrence including the role played by the petitioner in inflicting injuries including severing of his legs. It has also been submitted that a perusal of the allegations levelled in the FIR reveal that the petitioner has not only been named in the said FIR but the entire occurrence in question has been explicitly detailed.

3. Learned State counsel submits that in the circumstances, even if the father of the injured had made a statement Annexure P-3, that the legs of his son were severed in a train accident while he was crossing the railway line would not come to his rescue since the said statement was made before the injured regained consciousness and the FIR in question was registered. It has also been submitted that the statement of the father of the injured also needs to be appreciated in the light of the occurrence taking place next to the railway line and hence, at that point of time, if at all the father of the injured made such statement, it was most natural.



4. Heard learned counsel for the parties and perused the material placed on record.
5. In the facts and circumstances as enumerated hereinabove particularly the factum of the complainant as well as the injured detailing the role played by the petitioner, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner. Accordingly, the instant petition stands dismissed.
6. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

04.12.2024
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No