

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8057 of 2025

Arising Out of PS. Case No.-59 Year-2024 Thana- Kumarbagh District- West Champaran

Santosh Kumar @ Santosh Ram S/O Dhurendra Ram, R/o Village- Tirhutiya
Tola, Tika Chhapar, P.S.- Kumarbagh, Dist.- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 303(2), 109, 352, 351(2) and 3(5) of the BNS, 2023.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that named accused persons intercepted him and started abusing him, on his protest, petitioner assaulted him by means of a sword causing injury on head.

4. Learned counsel appearing on behalf of petitioner submits that no doubt, a specific allegation is alleged against the petitioner of assaulting the informant by sword, but then from the injury report, it manifests that the injury was caused by hard and blunt substance, when sword is a sharp edged weapon. It is also



submitted that no doubt, the injury has been opined to be grievous, but then the other accused had also assaulted the informant. It is lastly submitted that from the side of petitioner also Kumarbagh P.S. Case No. 57 of 2024 has been instituted against the side of the informant in which the side of petitioner has also suffered injuries.

4. Learned Additional Public Prosecutor for the State opposes the prayer for anticipatory bail of the petitioner and submits that there is specific allegation against this petitioner of assaulting the informant by sword on head causing injury and the same is opined to be grievous. It is further submitted that whether the petitioner assaulted from the sharp edged side of the sword or from the blunt side of the sword is an aspect of investigation, but then the injury is on vital part of the body and is grievous.

5. Considering the submissions made by the learned additional public prosecutor for the State, this Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

6. Accordingly, the instant anticipatory bail application is rejected.

(Satyavrat Verma, J)

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