

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16492 of 2025

Arising Out of PS. Case No.-275 Year-2024 Thana- MADHAURAH District- Saran

Shashi Pratap Singh @ Munna Singh, S/o Late Vindeshwari Singh, Village-
Pakahan, PS- Madhaurah, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devashish Giri, Adv.

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 14-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Madhaurah P.S. Case No. 275 of 2024 registered for the offences punishable under Sections 341, 323, 307, 324 and 504/34 of the Indian Penal Code.

3. As per the prosecution case, the husband of the petitioner was doing carpentering work in the house of the petitioner on contractual basis. On the fateful day, the informant received an information on her mobile that her husband Rajesh Sharma's neck got cut. The informant requested the petitioner to provide him treatment, whereupon the injured was being brought to P.M.C.H. in an ambulance, but considering the serious condition of the injured, he was taken to Aadvik Trauma



Hospital in Ashiana Digha Road, Patna. The informant found that there were cuts on her husband's neck, stomach and head.

4. Learned counsel for the petitioner referring to the FIR contended that, in fact, it is the petitioner, who has provided all the facilities for medical treatment and sent the informant's husband to PMCH on ambulance. However, only on account of the fact that there was some dispute with regard to payment of due amount, the present FIR came to be lodged. In fact, on the fateful day, the injured had some heated exchange with his wife and, on being enraged, he himself cut his neck, head and abdomen. This fact has also been fortified during the course of investigation when the statement of Kapildeo Singh, Samsad Alam, Prakash Mahto and Sambhu Singh were recorded. Referring to the statement of the witnesses, it is further contended that they have categorically stated that it is the injured, who has caused injuries upon himself. The entire expenses of treatment has been born by the petitioner. It is lastly contended that even if the statement of the injured is taken into account, he has only stated that the petitioner along with his son were caught hold the hands of the injured, whereupon an unknown person cut his neck. The petitioner bears clean antecedent.



5. On the other hand, learned counsel for the State referring to the statement of the injured has contended that there is specific allegation against the petitioner that he caught hold the hand of the injured, whereupon one unknown person cut his neck. The injuries sustained over the body of the injured clearly suggests that it cannot be caused by the injured himself.

6. Regard being had to the submissions made on behalf of the parties and considering the statement of the injured as also the nature of the injuries sustained over the body of the injured, this Court is not acceded to the prayer for anticipatory bail of the petitioner. Accordingly, his prayer is rejected.

7. However, the petitioner surrenders before the court below within a period of four weeks' from today and seeks regular bail, the same shall be considered on its own merit(s) without being prejudiced in any manner by the present order.

(Harish Kumar, J)

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