

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39214 of 2025

Arising Out of PS. Case No.-234 Year-2024 Thana- LADANIA District- Madhubani

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Guddu Sharma Son of Mukhlal Sharma (Wrongly mention in the F.I.R. Son of Keshwan Thakur), Resident of village - Sahorva, P.S.- Ladaniya, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Gagan Dev Yadav, Adv.
For the State	:	Mr. Binod Kumar No.3, APP
For the Informant	:	Mr. Sanjay Kumar Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 03-09-2025 Heard Mr. Gagan Dev Yadav, learned counsel for the petitioner, Mr. Binod Kumar No.3, learned APP for the State and Mr. Sanjay Kumar Jha, learned counsel for the informant.

2. The petitioner apprehends his arrest in connection with Ladaniya P.S. Case No. 234/ 2024 dated 28.07.2024 registered for the offence(s) punishable under Section(s) 127(1), 115(2), 118(1), 109, 352, 351(2) and 3(5) of the BNS.

3. As per the prosecution's story, this petitioner repeatedly assaulted the informant by means of sword causing grievous injury to his right hand.

4. The main submissions advanced by the petitioner's counsel are that as per the FIR, this petitioner allegedly inflicted a sword blow on the head of informant causing injury



to his right hand but the nature of the injury found on his right hand does not support the use of any sharp-edged weapon and the first injury report of the informant shows the said injury to be simple in nature, though, later on, second injury report was issued and the same shows grievous injury to the hand of the informant which reflects the contradictory opinion of the medical expert. It is further submitted that in the re-statement, the informant has not made any specific allegation against the petitioner and according to him, altogether 7 accused persons assaulted him by means of sword, iron rod and lathi, etc. but only one injury on his hand was found which shows that the allegations were made exaggeratedly. It is lastly submitted that the petitioner has fair and clean antecedent.

5. Learned counsel appearing for the informant has vehemently opposed the bail prayer of the petitioner and submits that there is specific allegation against the petitioner and on account of assault committed by the petitioner, the informant remained under treatment in PMCH, Patna, from 17.07.2024 to 26.08.2024 and finally, his right hand was amputated on account of grievous injury which is specifically attributed to this petitioner.

6. Considering the seriousness of the allegations



appearing against the petitioner, as pointed out by the prosecution, and also appearing from the FIR and the fact that the investigation against the petitioner is still continuing, this court is not inclined to release the petitioner on anticipatory bail. Accordingly, his prayer stands rejected.

(Shailendra Singh, J)

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