

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54055 of 2024

Arising Out of PS. Case No.-540 Year-2022 Thana- LAHERIMUHALLA District- Nalanda

Deepak Kumar, Son of Bindu Chaudhary @ Bind Chaudhari R/V-
MOHALLA- BHARAOPAR, P.S.- LAHERI, DISTT.- NALANDA.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 17-01-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is not named in F.I.R. and

apprehending his arrest in connection with Laheri P.S. Case

No. N. 540 of 2022, registered for the offences punishable

under Sections 341, 323, 307 of the Indian Penal Code.

3. As per FIR, son of the informant was assaulted

by some unknown persons, where he received grievous injury

on his head and was hospitalized to Patna Medical College and

Hospital (in short "PMCH").

4. Learned counsel appearing on behalf of the



petitioner submitted that the name of petitioner transpired during course of investigation and he was named by injured himself. It is submitted that the allegation available against this petitioner is general and omnibus *qua* physical assault and, moreover, nothing appears out of statement of injured, which may suggest that petitioner was under intention to cause his death, which is prime essential ingredient as to make out a *prima facie* case under Section 307 of the Indian Penal Code. It is further submitted that petitioner is a man of clean antecedent.

5. Learned APP while opposing the prayer of anticipatory bail submitted that the injured after regaining his sense, named this petitioner alongwith other two co-accused persons. It is submitted that the injured received serious injury on his head. It is also submitted by learned APP that this petitioner was also involved in assaulting the injured and, moreover, the supplementary injury report suggest that injuries received by injured son of the informant was dangerous to life caused by hard blunt substance, which appears *prima facie* corroborating *qua* manner and nature of



weapons used for causing physical assault.

6. Considering the aforesaid facts and circumstances and by taking note of statement of injured son of the informant, who named this petitioner, as to assault him along with other co-accused persons, coupled with the fact that the supplementary injury report suggest that injury received by injured was dangerous to life, accordingly, prayer of anticipatory bail of the petitioner is rejected.

(Chandra Shekhar Jha, J)

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