

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49383 of 2025

Arising Out of PS. Case No.-99 Year-2022 Thana- HARLAKHI District- Madhubani

Mithilesh Jha @ Mithilesh Kumar Jha @ Mithilesh S/o Shri Shobha Kant Jha
R/o Vill- Mohanpur, P.S.- Harlakhi, Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-08-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State, Shri Chandra Bhushan Prasad.

2. The petitioner apprehends his arrest in connection
with Harlakhi P.S. Case No. 99 of 2022 registered for the
offences punishable under Sections 307, 323, 341, 354, 379,
504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that the petitioner in an intoxicated condition asked for
credit from her son who runs a shop, on refusal, petitioner
assaulted her son by knife and *farsa* causing injury on face, arm
and nose and when informant went to save her son, the
petitioner assaulted her by knife causing injury on her breast.

4. The Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the instant case by the informant. It is next submitted that though it is alleged that petitioner was in an intoxicated condition, but then the FIR has not been instituted under the Excise Act. It is also submitted that even presuming what has been alleged is true without admitting, then the injury suffered by the injured is simple in nature.

5. The Learned APP opposes the anticipatory bail application and submits that FIR is not an encyclopedia and during the course of investigation, the police may add Excise Act. It is also submitted that there is specific allegation against the petitioner of assaulting the informant and his mother by knife and the injury suffered by the mother of the informant by knife is on vital part of the body.

6. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Satyavrat Verma, J)

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