

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68292 of 2024

Arising Out of PS. Case No.-206 Year-2024 Thana- SIRDALA District- Nawada

Shantosh Kumar S/o Late Amrit prasad R/o Village- Chapri, P.S- Sirdala,
Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey

For the Opposite Party/s : Mr. Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

4 20-02-2025 Heard learned counsel for the petitioner and learned
APP appearing on behalf of the State.

2. The petitioner is apprehending his arrest in connection with Sirdaula P.S. Case No. 206 of 2024, for the offence under Sections 341, 323, 325, 354, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution story, on the alleged date of occurrence i.e. on 30.05.2024, quarrel took place between the informant's wife and Sister-in-law (*bhabhu*) due to some money transaction. After some time, petitioner came there and started abusing and misbehaved with the wife of the informant (*bhabhi*) and threw her on the ground and assaulted. Upon protest, petitioner assaulted the informant with iron rod on his head due to this, he became unconscious. Supplementary injury report of the informant Subodh Kumar suggests that injury caused by hard and blunt object as has been found to be grievous in nature.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Both the parties are full brothers. There is delay in lodging the F.I.R. No witness has stated about the repeated blow. Petitioner has no intention to outrage the modesty of the wife of the informant as such section 354 of the I.P.C. is not made out against the petitioner. Petitioner claims clean antecedent.

5. Learned APP as well as learned counsel for the informant oppose the prayer for anticipatory bail of the petitioner and submits that injury sustained by the informant is grievous in nature and fracture is found in Metacarpal bone.

6. Keeping in view the above facts and considering the injury to be grievous in nature, the anticipatory bail application of the petitioner stands rejected.

7. Petitioner is directed to surrender before the Trial Court who will decide the case on its own merit without being prejudiced with this order.

8. The application stands disposed of.

(S. B. Pd. Singh, J)

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