

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70205 of 2024

Arising Out of PS. Case No.-89 Year-2024 Thana- BARURAJ District- Muzaffarpur

Sonu Kumar @ Chhotelal Kumar S/O Baleshwar Rai R/O Village Baruraj
Pani Tanki ward no 13, P.S. Baruraj, District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bela Singh, Adv
For the State	:	Mr.Chandra Bhushan Prasad, APP
For the Informant	:	Mr. Arvind Kumar, Adv

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 10-04-2025 Heard learned counsel for the petitioner, Informant
and the State .

2. Petitioner apprehends his arrest in connection with Baruraj P.S. Case No. 89 of 2024 registered for the offences punishable under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code.

3. The FIR disclosed that on 29.05.2024 at around 9.30 am, the petitioner had gone to the door of informant and assaulted his grand-father Jaleshwar Rai with Kudal on his head with intention to kill him from his back. It has been further stated that Baleshwar Rai also gave a kudal blow on his head due to which his grand-father became unconscious. Thereafter, he was taken to the Primary Health Centre, Motipur and the



doctor has given ten stitches on both sides of his head and the treatment was still going on in Medical College, Muzaffarpur.

4. Learned counsel for the petitioner submits that the petitioner and informant are agnates and the injured Jaleshwar Rai and father of the petitioner Baleshwar Rai are full brothers. Since there is a dispute in the family with regard to land and that is the reason the petitioner has been falsely implicated in the present case. It has also been submitted by the learned counsel for the petitioner that the injury report, although grievous in nature, would show that it has been caused by hard and blunt substance as against allegation of assault by kudal.

5. The learned APP and the counsel for the informant oppose the bail application stating that there is direct and specific allegation in the FIR upon this petitioner of having given kudal blow causing head injury to the informant's grandfather which subsequently, led to prolonged treatment in the hospital. The final injury report is on record and on perusal of the same, it would appear that lacerated wound has been found on the left occipital region of size 3cmx3cmx 1/2cm and another lacerated wound on right occipital region of size 3cmx1/2cmx1/2cm has been found indicating that the injured had received serious head injury. The doctor has also opined



that the nature of injury is grievous.

6. Considering all the above mentioned facts and circumstances, I am not inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, his prayer for anticipatory bail in connection with Baruraj P.S.Case No. 89 of 2024, pending in the court of learned Judicial Magistrate 1st class, west Muzaffarpur stands rejected. However, if the petitioner surrenders before the court below and prays for regular bail, the same shall be considered on its own merits without being prejudiced by the present order.

(Soni Shrivastava, J)

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