

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80023 of 2024

Arising Out of PS. Case No.-253 Year-2024 Thana- PAKARIBARAW District- Nawada

Suraj Rajak Son of Mohan Rajak Resident of village - Baliyari, P.S.-
Pakribarawan, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo, Adv.
For the State : Mr.Shantanu Kumar, A.P.P.

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

3 10-01-2025 Heard learned counsel for the petitioner
and learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Pakribarawan P.S. Case no. 253 of 2024 instituted for the offence under Sections 341, 323, 504, 506, 448, 379, 354, 325/34 of the Indian Penal Code.

3. Prosecution case in nutshell is that while the daughter of informant was cleaning utensils, some water spilled over there. Due to this, petitioner along with other co-accused persons came there and started abusing. It is further

alleged that petitioner in connivance with other co-accused persons assaulted the son-in-law of the informant by means of iron rod due to which he sustained head injuries and also sustained injuries over his back and hand. When the other family members came for rescue, they were also assaulted by co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. It is further submitted that both parties are agnates and there is land dispute between them. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.

5. Learned APP appearing for the state has vehemently opposed the prayer of bail and submitted that there is specific allegation against the petitioner to assault the son-in-law of the informant, repeatedly, by means of iron rod with intention to kill him. From perusal of the injury report, it appears that it corroborates the prosecution version of the case and doctor has

opined injury inflicted on the injured has been found by the doctor as grievous in nature. Considering the nature of injury, his role cannot be overlooked from the alleged offence. The I.O. has submitted the charge-sheet against other co-accused persons u/s 307 of I.P.C. also along with other Sections of I.P.C.

6. Having heard the learned counsel for the parties and considering the nature of allegation of repetitive blow and as the injury inflicted upon the injured is grievous in nature, as opined by the doctor, this court is not inclined to enlarge the petitioners on bail and, as such, their prayer for anticipatory bail stands rejected.

7. The petitioner is directed to surrender before learned court below and prays for regular bail, the same shall be considered by the court below, without being prejudiced by the order of this Court.

(S. B. Pd. Singh, J)

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