

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82018 of 2024

Arising Out of PS. Case No.-372 Year-2023 Thana- MANSI District- Khagaria

Mithlesh Sharma @ Mithlesh Kumar Sharma S/o Vakil Sharma R/o Amni,
P.S.- Mansi, District- Khagaria, Bihar- 851214

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Roy, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-01-2025 Heard Learned Counsel for the petitioner, Learned
APP for the State and Learned Counsel for the informant.

2. The petitioner is apprehending arrest in connection with Mansi P.S. Case No. 372 of 2023 lodged on 03.12.2023, for the offences punishable under Sections 147, 149, 341, 323, 307 & 302 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against 8 named accused persons including the present petitioner. The specific allegation against the petitioner is that he has assaulted the informant's husband by *Samath* (a type of weapon) due to which he was badly injured and subsequently, referred to the hospital where he was declared dead.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that the criminal antecedent of the petitioner is clean and he has unnecessarily been made accused in this case.



Counsel further submits that from the contents of the FIR, it become crystal clear that petitioner and informant belongs to same village and they are well known to each other and on petty dispute, the alleged occurrence took place. Thereafter, the petitioner's name has been inserted in this case at the instance of the informant.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. Learned Counsel for the informant vehemently opposes the prayer for bail and submits that from the allegation made in the FIR, it is very much clear that petitioner's side used to do unethical work with the informant's family due to which, normal dispute took place, but there is specific allegation against the present petitioner of assaulting the informant's husband due to which he died.

7. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Dr. Anshuman, J)

Divyansh/-

U		T	
---	--	---	--

