

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85159 of 2025

Arising Out of PS. Case No.-43 Year-2025 Thana- BHADAUR District- Patna

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Brajesh Kumar @ Brijesh Kumar S/O Ramswaroop Prasad R/O Vill-
Dhanushbigha, P.S-Bhadaur, Distt-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 12-12-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner is apprehending his arrest in Bhadaur
P.S. Case No. 43 of 2025 registered under Sections-126(2),
115(2), 109(1), 352, 351(2), 3(5) of BNS.

3. The prosecution case in short is that at the relevant
date and time, while the informant's brother returned from duty,
the accused persons came there and started abusing her brother
and in consequence thereof, the petitioner is said to have
assaulted the informant's brother on his head, as a result of
which, he sustained injuries and became fainted.

4. Learned counsel for the petitioner has submitted that
the petitioner is innocent and he has falsely been implicated in



this case. There is delay in lodging the FIR and no explanation has been offered for delay in instituting the case. It is also submitted that prior to the present case, the petitioner No. 1 has also lodged a case against the informant's father and others. The present case is nothing but counter blast and just to save their skin, the present false prosecution has been lodged. It is also submitted that the injuries are simple nature and though one injury in the opinion of the doctor is grievous but as a matter of fact, the same is not grievous.

5. On the otherhand, the learned counsel for the State has opposed the prayer for anticipatory bail by submitting that there is specific allegation against the petitioner to inflict rod blow on the head of the injured. The injury report shows that the petitioner was unconscious and the injury was endanger to life.

6. Considering the aforesaid facts and circumstances, the petitioner is not entitled for privilege of anticipatory bail and accordingly, the same is *rejected*.

(Nawneet Kumar Pandey, J)

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