

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51250 of 2015

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1. Yogendra Rikiyasan son of Late Kariman Rikiyasan,
2. Mukhiya Bhuiyan, son of Late Kariman Bhuiyan
3. Briju Bhuiyan, son Ram Dayal Bhuiyan All resident of Village- Budhaul,
P.S.- Amas, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Amit Kumar Rakesh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 15-12-2015

Heard both sides.

The petitioners apprehend arrest in a case registered for the offences punishable under sections 307 and other allied sections of the Indian Penal Code.

The informant alleged that Yogendra Rikiyasan assaulted her husband Raj Kumar Gahlaut with Tangi and Pharsa on his head. Ram Dayal assaulted Dharmendra Paswan with iron rod. Other accused persons also assaulted Dharmendra Paswan.

It is submitted that the occurrence took place on 19.06.2015 but the F.I.R. was lodged on 29.06.2015. From the side of the petitioner also a counter case has been filed being Amas P.S. Case No. 100 of 2015 under section 307 and other

allied sections of the Indian Penal Code. It is submitted that the injuries found on the person of husband of the informant are simple in nature. Dharmendra Paswan got grievous injury on account of fracture of his left shoulder bone. The original injury report is not annexed with the bail application and simply a supplementary injury report has been annexed. There is allegation that petitioner no. 1 assaulted Raj Kumar Gahlaut and others also assaulted Dharmendra Paswan. Many injuries were caused.

Considering the facts aforesaid, I am not inclined to grant privilege of anticipatory bail to the petitioners in connection with Amas P.S. Case No. 103 of 2015 pending in the court of the learned Sub-divisional Judicial Magistrate, Sherghati at Gaya. This application for anticipatory bail is, accordingly, rejected.

(Prabhat Kumar Jha, J)

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