

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5802 of 2015

Arising Out of PS.Case No. -157 Year- 2014 Thana -PUPRI District- SITAMARHI

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1. Raj Kumar Mandal son of Bikau Mandal
2. Ajit Kumar Mandal @ Ajit Mandal son of Raj Kumar Mandal All
resident of village - Shahjahanpur (Pokharbhira), P.S. Pupri, District -
Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saptashwa Singh, Advocate.

For the Opposite Party/s : Mr. P.K.Chaurasia(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-02-2015 Heard both sides.

The petitioners apprehend their arrest in Pupri P.S. Case
No. 157 of 2014, registered for the offences punishable under
Section 307 and other Sections of the Indian Penal Code.

The informant named the petitioners and two other
accused persons and alleged that while labours were constructing
road, the petitioners and others came and tried to stop the work.
The accused persons are alleged to have assaulted the informant.
The petitioner no. 2 is alleged to have snatched Rs. 12,000/- from
the possession of the informant.

Learned counsel for the petitioners submits that the
informant is a contractor. The true facts are that the informant

assaulted the petitioners and others. It is alleged that Raj Kumar Mandal assaulted the informant with iron rod on his head, but the doctor found one incised wound on scalp caused by sharp edged weapon. Nobody is alleged to have assaulted the informant by sharp edged weapon. The injury is simple in nature.

On perusal of record, it would appear that the petitioners and other accused persons firstly tried to stop construction work and when the informant intervened, as he was the contractor, the petitioners are alleged to have assaulted the informant and snatched money and chain from the informant.

Considering the facts aforesaid I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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