

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38937 of 2014

Arising Out of PS.Case No. -35 Year- 2014 Thana -BAHERI District- DARBHANGA

- =====
1. Mahendra Bhagat S/o - Lakhan Bhagat Resident of Vill - Baheri, P.S.- Baheri, Dist. - Darbhanga
 2. Chandra Shekhar Bhagat S/o - Lakhan Bhagat Resident of Vill - Baheri, P.S.- Baheri, Dist. - Darbhanga
 3. Sohan Bhagat S/o - Late Sita Ram Bhagat Resident of Vill - Baheri, P.S.- Baheri, Dist. - Darbhanga
 4. Ashok Bhagat @ Ashok Kumar Chaurasia S/o - Late Sita Ram Bhagat Resident of Vill - Baheri, P.S.- Baheri, Dist. - Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr. Uday Pratap Singh (App)

=====

CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 27-03-2015 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners, namely, Mahendra Bhagat, Chandra Shekhar Bhagat, Sohan Bhagat and Ashok Bhagat @ Ashok Kumar Chaurasia apprehend their arrest in Baheri P.S. Case No.35 of 2014 under Sections 341, 323, 379, 307, 325 and 504/34 of the Indian Penal Code.

According to the prosecution case, the petitioners assaulted the informant by *lathi* and the informant sustained injury in his leg and shoulder, as a result of which the right shoulder joint

has been dislocated and below the eye he has sustained serious injury.

The learned counsel for the petitioners submitted that there was enmity between the parties and that the petitioners have been falsely named in the F.I.R. According to the learned counsel, there is omnibus allegation against all the petitioners. The learned counsel further submitted that the medical report is also wrong.

From perusal of the medical report (Annexure-2) it appears that the doctor has opined that the injury no.(1) is dangerous to life. So far injury no.(2) is concerned, the opinion has been reserved.

In view of the above facts that there is direct allegation of assault by these petitioners with *lathi* causing serious injury even dangerous to life, in my opinion this is not a fit case to grant anticipatory bail. Accordingly, this anticipatory bail application is rejected.

(Mungeshwar Sahoo, J)

Harish/-

U			
---	--	--	--