

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39109 of 2014

Arising Out of PS.Case No. -180 Year- 2014 Thana -BIHTA District- PATNA

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1. Subodh Rai @ Subodh Kumar son of Shiv Murat Rai R/o Anandpur
Demariya, P.S. Bihta, Distt. - Patna

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sudish Kumar

For the Opposite Party : Mr. J.N.Thakur(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 25-06-2015 Heard both sides.

Petitioner is said to have assaulted his uncle with iron rod on head. He is, therefore, facing prosecution vide Bihta P.S. case no. 180 of 2014 under diverse penal provisions of the IPC including Sections 307/34 of the IPC.

Contention of the petitioner is that both the parties are agnates and on trivial issue mar-pit has taken place in which, it is alleged, the petitioner assaulted on the head of the father of the informant causing simple injury. The petitioner has no criminal antecedent.

Learned APP for the State, on the other hand, states that due to assault there is injury on the head whereas the Doctor also found lacerated injury on the head caused by hard and blunt

substance.

Considering the aforesaid, I am not inclined to extend the benefit of anticipatory bail to the petitioner. Prayer for bail is rejected.

Let the petitioner surrender and pray for regular bail before the learned Court below. In that event the Court below shall consider and dispose of the same on its own merit uninfluenced in any manner by the present order.

(Kishore Kumar Mandal, J)

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