

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50009 of 2015

Arising Out of PS.Case No. -183 Year- 2015 Thana -MAKHDUMPUR District- JEHANABAD

- =====
1. Ranveer Kumar Son of Rajdeo Yadav, Resident of Village - Dhira Bigha, P.S. - Makhdumpur, District - Jehanabad.
2. Babloo Yadav, Son of Jageshwar Yadav, Resident of Village - VIP Lane Tehta, P.S. - Makhdumpur, District - Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

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

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

3 22-12-2015 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case under sections 307, 379 and other allied sections of the Penal Code.

It is alleged that the petitioner assaulted the informant with iron rod on his head, causing bleeding.

It is submitted on behalf of the petitioners that petitioner no.1 filed a Complaint Case No.612 of 2015 on 23.6.2015 with respect to the same occurrence. There is admittedly land dispute between the parties. The petitioners submit that initially the informant was referred to ANMCH, Gaya from where he was referred to the PMCH. However, the informant instead of going to the PMCH, went to a private hospital i.e. Patliputra Divine

Hospital Pvt. Ltd., Kankarbagh, Patna and got himself examined, which cannot be given much credence.

Counsel for the State submits that the injury report prepared at ANMCH would also support the prosecution case that the petitioner assaulted on the head of the informant with iron rod.

Having regard to the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner. His prayer for anticipatory bail is rejected. If the petitioner surrenders and pray for regular bail, the same would be disposed of preferably on the same day, without prejudice, also taking into consideration the counter case and land dispute between the parties.

(Samarendra Pratap Singh, J)

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