

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51769 of 2015

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Kundal Rai, son of Surendra Rai, resident of Village- Hatpokhar, P.S.- Jagdishpur, District Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Subhash Chandra Mishra (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 21-12-2015

Heard both sides.

The petitioner apprehends his arrest in a case under Sections 448, 341, 323, 324, 326, 504, 506/34 of the Indian Penal Code.

The informant alleged that the petitioner came to her house while she was accompanied with her daughter and hurled lewd remarks and when the informant objected that such remarks should not be made in presence of her daughter, the petitioner assaulted the informant with a dagger. It is submitted that of course, the informant got two incise wounds but the injuries are simple in nature. No offence under Section 326 I.P.C. is made out. The allegation is false and concocted but from perusal of the F.I.R., it appears that while the informant protested the petitioner from passing lewd remarks against her, the petitioner assaulted the informant with a knife causing two sharp-cut injuries.

Of course, the injuries are simple in nature but considering the nature of allegation, I am not inclined to enlarge the petitioner on anticipatory bail in Jagdishpur P.S. Case No. 152 of 2015. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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