

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36355 of 2014

Arising Out of PS.Case No. -2 Year- 2014 Thana -GAYA MUFFSIL District- GAYA

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Nandlal Chaudhary S/o Srichand Chaudhary Resident of Village Mastlipur,
P.O. Varagendhar, P.S. Mufassil, District Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Singh, Advocate.

For the Opposite Party/s : Mr. M.Rab (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 20-02-2015

Heard learned counsel for the parties.

Having regard to the nature of direct allegation of assault by Fasuli against the petitioner and that the injury, as alleged by the informant on her head, has been found to be substantiated in the injury report wherein the doctor has found lacerated wound over middle of scalp 1"x 1/4' x6", this Court is not inclined to grant anticipatory bail to the petitioner, who is said to be the author of this injury.

The submission of the learned counsel for the petitioner that the petitioner is facing prosecution only for offence 341, 323, 324 and 354 of the Indian Penal Code for the time being would also make no impression upon this Court because it is at the stage of framing of charge and in course of the trial these material allegation in the backdrop of the injury will be gone into in

accordance with law. The further submission of the learned counsel for the petitioner that there has been a compromise subsequently after eight months of the occurrence is an aspect which can be gone into now only at the stage of regular bail because this Court, would find that the alleged compromise petition dated 6.9.2014 was never produced before the Court below and infact is a subsequent event taking place only during the pendency of this application filed on 01.09.2014.

That being so, the prayer for anticipatory bail is hereby rejected.

(Mihir Kumar Jha, J)

Sujit/-

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