

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51258 of 2014

Arising Out of PS.Case No. -274 Year- 2014 Thana -KATIHAR District- KATIHAR

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1. Rajesh Chauhan @ Rakesh Chauhan @ Rakesh Kumar Son of Anandi Chauhan
 2. Ajit Chauhan Son of Anandi Chauhan Both R/o Mohalla Bhariya Rahika, P.s. Katihari Sahayak, District Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Arun Kr.Singh 5(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

4 22-06-2015

Heard both sides.

The petitioner no. 2 Ajit Chauhan apprehends arrest in a case under section 307 and other allied sections of the Indian Penal Code.

This anticipatory bail application filed on behalf of petitioner no. 1 Rajesh Chauhan @ Rakesh Chauhan @ Rakesh Kumar has already been withdrawn by order dated 24.02.2015. Hence, this application has been pressed only on behalf of petitioner no. 2. Ajit Chauhan.

There is very specific allegation against the sole petitioner Ajit Chauhan @ Ajit Kumar Chauhan that he repeatedly assaulted Santosh Kumar with lathi on his head. Corresponding

injury was found. It is submitted that the petitioner also got incised injury on his head and there is also a counter version of the occurrence. The case of the petitioner is earlier in point of time.

Considering the fact that there is very specific allegation against the petitioner that he repeatedly assaulted Santosh Kumar causing injury on his head, I am not inclined to grant privilege of anticipatory bail to the petitioner in connection with Katihar (Sahayak) P.S. Case No. 274 of 2014 pending in the court of the Chief Judicial Magistrate, Katihar. This application for grant of anticipatory bail is, accordingly, rejected.

(Prabhat Kumar Jha, J)

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