

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38843 of 2015

Arising Out of PS.Case No. -104 Year- 2015 Thana -BELHAR District- BANKA

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1. Ghanshyam Pandit, Son of Awadh Pandit,
2. Mahipal Pandit, Son of Late Suresh Pandit, Both resident of village-
Ranga Bazar, P.S.- Belhar, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Smt. Asha Devi(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 06-11-2015

Heard both sides.

The petitioners apprehend arrest in a case registered for the offences punishable under sections 307 and other allied sections of the Indian Penal Code.

The informant made allegation that several accused persons assaulted him while he was fleeing away. Both the petitioners, namely, Ghanshyam Pandit and Mahipal Pandit assaulted him with iron rod on his head.

Mr. Ajay Mukherjee, learned counsel for the petitioners, submits that the petitioners and others were holding a meeting for organizing Puja. The petitioners after consuming wine came and committed mischief and the villagers assaulted

him. About 67 persons gave an application to this effect before the S.H.O. Belhar police station, District Banka (Annexure-3).

Having considered the fact that the informant has made specific allegation that the petitioners assaulted him with iron rod on his head and two injuries were found on the head besides other injuries and both the injuries have been found to be grievous in nature, I am not inclined to grant the privilege of anticipatory bail to the petitioners in connection with Belhar P.S. Case No. 104 of 2015 pending in the court of the learned Sub-divisional Judicial Magistrate, Banka. Their prayer for anticipatory bail is, accordingly, rejected.

(Prabhat Kumar Jha, J)

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