

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.47691 of 2015**

Arising Out of PS.Case No. -203 Year- 2015 Thana -PIPRA District-  
EASTCHAMPARAN(MOTIHARI)

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Dinanath Sah son of Hira Sah resident of Village - Banjaria, P.S. - Pipra,  
District - East Champaran.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s :

For the Opposite Party/s :

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**

**ORAL ORDER**

3      03-11-2015                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends arrest in Pipra P.S. Case  
No. 203 of 2015 dated 28.07.2015 instituted under Sections  
341/323/324/307/379/504/34 of the Indian Penal Code.

The allegation against the petitioner and others is of  
general assault and against the petitioner specific of assaulting the  
husband of the informant by '*farsa*' on the head.

Learned counsel for the petitioner submits that prior  
to the occurrence the brother of the petitioner had lodged Pipra  
P.S. Case No. 192 of 2015 on 20.07.2015 against the husband of  
the informant and others and by way of retaliation this present

case has been filed. It is submitted that there is dispute relating to passage and the parties are close neighbours. Learned counsel submits that the injury is simple in nature and that the petitioner has no criminal antecedent.

Learned A.P.P. opposes the prayer for anticipatory bail and submits that there is specific allegation of inflicting blow by '*farsa*' on the head of the husband of the informant which is corroborated by the injury report where wound has been found on the head caused by sharp cutting object.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on anticipatory bail.

The application, accordingly, stands dismissed.

However, in the event the petitioner surrenders and prays for regular bail before the court below, the same shall be considered on its own merits, in accordance with law, without being prejudiced by the present order.

**(Ahsanuddin Amanullah, J)**

Anjani/-

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