

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20905 of 2015

Arising Out of PS.Case No. -1 Year- 2015 Thana -JAGDISHPUR District- BHAGALPUR

=====

1. Puran Mandal @ Purim Mandal. Son of Late Kartik Mandal.
2. Bishundeo Mandal. Son of Late Sri Ram Mandal. Both resident of village
- Mohanpur, P.S.- Goradih, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal

For the Opposite Party/s : Mr. Prem Kr.Jha(App)

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 07-07-2015 Mr. Mandal seeks permission of the Court to withdraw the application so far as petitioner no. 1 is concerned as he has been arrested during the pendency of the application.

Permission is accorded. The application is dismissed as withdrawn in so far as petitioner no. 1 is concerned.

Heard Mr. Mandal for the petitioner, Mr. Ram Sandesh Rai for the informant and the APP for the State.

Allegation against the petitioner no. 2 is that while the informant was sowing in the field, he along with others came there and assaulted the informant with the butt of pistol on head.

Contention of the petitioner is that injury found on the person of the informant was simple. There is land dispute between the parties inasmuch as a title suit was pending at the instance of the petitioner no. 2 in which the informant and others family

members are defendants. It is also submitted that firing was not made, instead butt was used which implies the intention of the petitioner to cause only simple hurt.

Mr. Rai, while opposing the prayer, states that the situs of the injury is on head.

Considering the materials on record, I am not persuaded to extend the privilege of anticipatory bail. Prayer is, accordingly, declined.

If the petitioner surrenders and prays for bail, I am sure, the Court below shall consider the same on its own merit uninfluenced by the present order.

(Kishore Kumar Mandal, J)

Pankaj/-

U		T	
---	--	---	--