

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45789 of 2014

Arising Out of PS.Case No. -78 Year- 2013 Thana -MASRAKH District- SARAN

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Raju Mahto Son of Basudev Mahto Resident of Sikkati Gola, P.S. -
Mashrakh, District - Saran (Chapra).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rakesh Chandra, Advocate.

For the Opposite Party : Mr. Jagdhar Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 23-06-2015 Heard both sides.

The petitioner apprehends his arrest in Mashrakh P.S.
Case No. 78 of 2013, registered for the offences punishable under
Sections 341, 323, 324, 379, 504 and 34 of the Indian Penal Code.
Later on Section 307 of the Indian Penal Code was added.

The petitioner is alleged to have inflicted dagger blow
on the neck of Jaynath Mahto, the nephew of the informant.

It is submitted that the case was earlier instituted under
Sections 324, 379 and other Sections of the Indian Penal Code.
Later on Section 307 of the Indian Penal Code was added. The
injury found on the neck of Jaynath Mahto is simple in nature. No
offence under Section 307 of the Indian Penal Code is made out.

It appears from the record that the petitioner inflicted

dagger blow on the neck, a vital part of the body of the informant's nephew Jaynath Mahto. One injury is on right clavical region which is said to have been caused by sharp cut weapon.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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