

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22367 of 2015

Arising Out of PS.Case No. -40 Year- 2015 Thana -KALYANPUR District- SAMASTIPUR

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1. Ram Sanehi Rai @ Ram Sanehi Yadav
2. Ramashish Rai Both S/o Late Ramlakhan Rai Resident of village -
Malipur, P.S. Kalyanpur, District - Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Veena Rani Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-07-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under sections 447,341,325,307,379 and 504/34 of the Indian Penal Code.

The prosecution case is that one Shiv Kumar Tripathi ASI went to inspect the place of occurrence of Kalyanpur P.S. Case No. 34 of 2015. In the meantime, all the accused persons came variously armed and on the order of co accused Ram Sanehi Rai they assaulted the informant with sharp cutting weapon and lathi.

It is submitted by learned counsel for the petitioners that in the background of land dispute the acusation has been

levelled and except one injury other injuries have been found to be simple and the accusation is omnibus and general. It is further submitted that no case under section 307 IPC is made out.

It is submitted by learned counsel for the informant that the assault was made in presence of the police officer and the police officer has supported the accusation.

Considering the nature of accusation, this court is not inclined to grant anticipatory bail to the petitioner in connection with Kalyanpur P.S. Case No. 40 of 2015 pending in the court of learned C.J.M., Samastipur.

This application is, accordingly, dismissed.

(Dinesh Kumar Singh, J)

Anil/-

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