

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52213 of 2014

Arising Out of PS.Case No. -20 Year- 2014 Thana -DARPA District-
EASTCHAMPARAN(MOTIHARI)

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Akhtar Mian, son of Late Mohabat Mian, resident of Village-Bahadurpur,
P.S.-Darpa, District-East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Kumar Verma, Advocate

For the Opposite Party : Mr. Ajay Kumar-I, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 06-01-2015

Heard both sides.

The petitioner, Akhtar Mian, apprehends his arrest
in Darpa P.S. Case No.20 of 2014, registered under Section 307
and other sections of the Indian Penal Code.

Sheikh Musa, the informant, had borrowed
Rs.75,000/- from one Shambu Sharan Prasad. A panchayati was
also held, but thereafter, Shambu Sharan Prasad and Akhtar Mian
caught him and took to the house of Shambu Sharan Prasad. The
accused persons confined him in a room and assaulted him with
iron rod for two days.

Learned counsel for the petitioner submits that there
is no specific allegation of assault against the petitioner. The
informant had taken loan from Shambu Sharan Prasad. Petitioner
has got enmity and that is why he has been implicated in the case.

It appears that the informant has made very specific allegation that Shambu Sharan Prasad and the petitioner forcibly took him to the house of Shambu Sharan Prasad and kept him confined for two days. During his confinement, the petitioner and Shambu Sharan Prasad assaulted him with iron rod.

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

(Prabhat Kumar Jha, J)

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