

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40950 of 2015

Arising Out of PS.Case No. -46 Year- 2015 Thana -ANDER District- SIWAN

=====

1. Khurshid Khan S/o late Shagir Khan R/o Vill- Usari Bujurg,P.s M.H. Nagar, District Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Md. Aslam Ansari (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-10-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under sections 341,323,324,307,379 and 326/34 of the Indian Penal Code.

The prosecution case is of assaulting the informant by spade by the petitioner and five others.

It is submitted by the learned counsel for the petitioner that in the background of land dispute the petitioner being agnate of the informant has been roped in the present case. The accusation is omnibus and general and the injuries have been found to be lacerated one

caused by hard and blunt substance. More over, wife of the petitioner has been granted anticipatory bail vide Cr. Misc. No. 32317 of 2015.

It is submitted by learned counsel for the informant that the accusation of making assault on the head is specific against this petitioner. Two injuries have been found to be grievous and the wife of the petitioner has been granted anticipatory bail since she is lady.

Considering the fact that though the accusation against the petitioner is specific of making assault with spade but injury has been found to be lacerated one, six persons made assault, hence it is difficult to ascertain as to who caused grievous injury and statement made in paragraph 3 of the petition that the petitioner has no criminal antecedent and also the fact that wife of the petitioner has already been granted anticipatory bail, in view of this court, it is a case for consideration of the prayer for regular bail of the petitioner by the learned court below in case the petitioner surrenders within six weeks from today in connection with Andar (M.H. Nagar) P.S. Case No. 46 of 2015 pending in the court of learned CJM, Siwan.

This application is disposed of with the
aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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