

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.40842 of 2015**

Arising Out of PS.Case No. -519 Year- 2014 Thana -RUNISAIDPUR District- SITAMARHI

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1. Rakesh Kumar @ Tunna Singh @ Tunna s/o Late Nand Kishore Singh  
r/o Athhari P.S. Runnisaidpur, District Sitamarhi.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Patanjali Rishi

For the Opposite Party/s : Mr. Arvind Kr.Panday(App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**  
**ORAL ORDER**

3      09-11-2015      Heard both sides.

The petitioner apprehends his arrest in a case under  
Section 307 and other sections of the Indian Penal Code.

The informant alleged that the petitioner, while he  
was sowing potato in his field, asked why he broke ridge of his  
land. The petitioner is alleged to have assaulted the informant with  
Bhujali on his neck. The blow hit on the head of informant.

Mr. Patanjali Rishi, the learned counsel for the  
petitioner, submits that the informant was firstly treated in PHC,  
Runni Saidpur where the doctor found one lacerated wound on his  
head, second injury as pain over head and third injury as  
tenderness on left lower hand. The injuries were caused by hard  
and blunt object. The patient was referred to SKMCH,

Muzaffarpur for better treatment and the doctor at SKMCH opined injury No.1 and 2 as grievous in nature and injury No.3 as simple. It is submitted that son of the informant happens to be a doctor at SKMCH and that is why the injuries were procured. There is land dispute between the parties.

Having considered the fact that that the informant alleged that the petitioner assaulted the informant with Bhujali, which caused injury on his head, and the doctor of PHC referred him to SKMCH and the doctor at SKMCH opined the injuries to be grievous in nature, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner, above named, surrenders before learned Chief Judicial Magistrate, Sitamarhi in Runni Saidpur PS case No. 519/2014 and prays for regular bail, the court below shall consider the prayer for regular bail without being prejudiced from the order of this court.

**(Prabhat Kumar Jha, J)**

BKS/-

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