

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17114 of 2016

Arising Out of PS.Case No. -370 Year- 2015 Thana -SHRIKRISHNAPURI District- PATNA

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1. Sikander Chauhan Son of Shri Hiralal Chauhan Resident of Village/MOhalla- Rajapur Chainpur, Gat no 31, PS Shrikrishnapuri, district Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Kanhaiya Kishore (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 04-05-2016

Heard Mr. Manish Kumar No. 2 for the petitioner

and the APP for the State.

Petitioner is facing accusations punishable under Sections 341, 447, 323, 324, 307, 379, 506/34 of the Indian Penal Code vide Krishnapuri P.S. Case No. 370 of 2015 and prays for grant of anticipatory bail.

On account of opening of *rasta* and construction of house, it is alleged that the accused persons entered into the house and started assaulting the inmates. Insofar as petitioner is concerned, specific allegation is that he inflicted *garasa* blow on the head of Chhatthi Devi who is the sister of the informant. Further allegation is that he took away the golden chain etc.

Contention of the petitioner is that on bare perusal of the F.I.R., it would appear that due to land dispute, the occurrence

has taken place. One of the accuseds of the present case lodged a case against the prosecution side. The injury sustained by the Chhatthi Devi was not found dangerous to life in the C.T. Scan report of the P.M.C.H.

Learned A.P.P. opposed the prayer and submitted that the allegation is of causing head injury which itself is a serious one.

Considering the facts and circumstances of the case, I am not persuaded to extend the privilege of anticipatory bail to the petitioner.

Prayer is, accordingly rejected.

(Kishore Kumar Mandal, J)

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