

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24144 of 2016

Arising Out of PS.Case No. -42 Year- 2016 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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Rajesh Kumar @ Sikandar Yadav Son of Late Kapil Yadav Resident of
Village- Korain, P.S.- Deepnagar, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Adv.

For the Opposite Party/s : Mr. Kr. Virendra Narayan (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 18-08-2016 Heard both sides.

The petitioner apprehends his arrest in Biharsharif P.S.
Case No. 42/2016, registered for the offences punishable under
Section 307 and other sections of the Indian Penal Code.

The informant alleged that Rajesh Kumar @ Sikandar
Yadav and his brother Ranjan Kumar Yadav and 08 to 10 other
persons having armed with different weapons came and began to
assault him with lathi, danda and hockey stick. Rajesh Kumar
assaulted him with butt of pistol causing injury on his head.

Learned counsel for the petitioner submits that the
petitioner is alleged to have assaulted the informant with butt of
pistol on his head, but from perusal of annexure – 2 no injury on

head was found. The petitioner filed a petition before the Circle Officer for measurement of his land on which the informant has made encroachment and that is why this false case has been lodged.

It appears that petitioner and other accused persons firstly alleged to have assaulted the informant with lathi. The leg of the informant was found fractured besides other injuries. The petitioner is also order giver and he ordered other accused persons to kill the informant. Prayer for anticipatory bail of Ranjan Kumar Yadav has already been rejected by the order passed in Cr. Misc. 16252/2016.

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

(Prabhat Kumar Jha, J.)

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