

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11904 of 2016

Arising Out of PS.Case No. -2 Year- 2016 Thana -MOKAMAH District- PATNA

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1. Prabhat Kumar son of Sri Raghuvansh Mani Singh resident of Village
Brahpur, P.S- Mokama, Dist- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anand Kumar

For the Opposite Party/s : Mr. Sanjay Kr. Sharma (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 23-06-2016 Heard both sides.

The petitioner apprehends his arrest in a case under
Section 307 and other sections of the Indian Penal Code and under
Section 27 of the Arms Act.

The informant made allegation that petitioner and
others came and abused the informant. They also made
indiscriminate firing. The petitioner assaulted the informant with
butt of gun on his head.

It is submitted that informant purchased land from
the sister of father of petitioner. The land is in possession of the
petitioner and the occurrence took place when the informant went
to take possession of the land. The informant got simple injuries.
Other accused persons have already been enlarged on anticipatory

bail.

The learned counsel appearing on behalf of the informant as well as the learned Additional Public Prosecutor vehemently opposed the prayer for anticipatory bail and submitted that petitioner has got criminal antecedents. The petitioner assaulted the informant and his wife many times and even after lodging of this case the petitioner and others assaulted the informant and the informant was treated in Patna Medical College and Hospital, Patna. It is further submitted that sister of father of petitioner filed a suit for partition and the suit was decided in favour of plaintiff in the year 2009 and even Second Appeal No. 110 of 2015 was also dismissed.

Considering the fact that petitioner time and again assaulted the informant only because he has purchased the land from the sister of father of petitioner, who has got a valid title, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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