

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17139 of 2016

Arising Out of PS.Case No. -18 Year- 2015 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

Surendra Prasad S/o Anwat Prasad R/o Vill Laukahi, PS Paharpur, Distt
East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 16-05-2016 Heard both sides.

The petitioner apprehends his arrest in Paharpur P.S.
Case No. 18/2015, registered for the offences punishable under
Sections 147, 148, 149, 341, 323, 324, 325, 307, 379, 504 of the
Indian Penal Code and later on Section 302 is added.

The informant alleged that Suresh Prasad assaulted his
father on his head and his father fell down becoming unconscious.
It is further alleged that Annu Prasad assaulted him with spear on
his head. Dhurendra Prasad and Surendra Prasad (petitioner)
assaulted the mother of the informant causing fracture at the hand.
Other co-accused persons also assaulted them.

Learned counsel for the petitioner submits that there is a

counter version being Paharpur P.S. 19/2015 on account of land dispute case and counter case has been lodged. Two persons are alleged to have assaulted Saraswati Devi, only one injury that too fracture at hand was found.

On the other hand learned A.P.P. opposed the prayer of anticipatory bail and submitted that they all including petitioner indiscriminately assaulted different persons. Bindeshwari Prasad the father of the informant succumbed to the injuries. Petitioner and Dhurendra Prasad also assaulted the mother of the informant Saraswati Devi and her hand was broken.

Considering the facts aforesaid and the fact that there is specific allegation against the petitioner that he assaulted the mother of the informant causing fracture injury at hand, I am not inclined to enlarge the petitioner on anticipatory bail in Paharpur P.S. Case No. 18/2015, pending in the Court of learned Chief Judicial Magistrate, Motihari, East Champaran. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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