

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20461 of 2016

Arising Out of PS.Case No. -259 Year- 2015 Thana -RAJGIR District- NALANDA
(BIHARSHARIFF)

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1. Mithlesh Kumar son of Ahsok Ravidas, Resident of Gandhi Tola Rajgir,
P.S.- Rajgir, District- Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumari Sujata Sinha

For the Opposite Party/s : Mr. S.Dayal(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 12-05-2016 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 147, 148, 149, 323,
324, 307, 504 of the Indian Penal Code.

The prosecution case is that on 20.12.2015 when the
informant was sitting at his door, the petitioner came and abused
the informant and co-accused Mithun Kumar assaulted with axe
on the head of informant but it caused injury to his elbow and
when the informant fell down the petitioner assaulted with lathi on
the head of informant causing injury. When the family members of
the informant came to rescue then the accused persons made
assault.

It is submitted by the learned counsel for the petitioner that in the background of land dispute the accusation has been levelled. The injury report reflects one abrasion on the parietal region and other injury is on the left wrist joint. The injuries have been found to be grievous. It is further submitted that there is counter version of the occurrence in which petitioner's side also received injuries. Statement has been in paragraph 3 of the petition that the petitioner has no criminal antecedent.

The aforesaid facts constitute grounds for consideration of the prayer for regular bail of the petitioner by the learned court below in case the petitioner surrenders within six weeks from today in connection with Rajgir P.S. case No. 259 of 2015 pending in the court of learned ACJM-IV, Sadar Court, Rajgir at Nalanda.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

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