

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48523 of 2015

Arising Out of PS.Case No. -70 Year- 2015 Thana -ARIYARI District- SEKHPURA

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Ganapat Chaurasiya @ Ganpati Chaurasiya Son of Chotan Chaurasia
Resident of village - Arnara, P.S. Ariyari, District - Sheikhpura

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Barun Kumar Choudhary, Advocate
For the Opposite Party : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-02-2016 Heard learned counsel for the petitioner, learned counsel
for the informant and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Ariyari P.S. Case No. 70 of 2015 pending in the Court of CJM, Sheikhpura for the offences instituted under Sections 325, 341, 323, 307, 379, 504, 337 and 338/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner along with co-accused collectively began to abuse on the issue of old dispute relating to land and drainage and when same was protested, all the accused persons started pelting bricks and stones as a result of which Jitendra Kumar sustained injury on head and he was seriously injured. It is also alleged that Rs.15,000/- has been

snatched.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case. Admittedly there is a land dispute between the parties. The alleged occurrence is said to have taken place due to a petty reason. It is a case and counter case. From perusal of the injury report, it appears that the injuries have been caused on non-vital part of the body, hence no offence under Section 307 Indian Penal Code is made out against the petitioner.

On behalf of the State and the counsel for the informant, it has been submitted that the petitioner is named in the FIR and there is specific allegation against him for causing injury upon the informant.

Considering the aforesaid facts and circumstances of the case, I am not inclined to release the above named petitioner on anticipatory bail, the same is rejected.

Anyhow, if the petitioner surrenders in the court below within a period of four weeks, the same shall be considered on its own merit without being prejudiced by this order taking into account the submissions made on behalf of the petitioner.

(Sudhir Singh, J)

B.Kr./-

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