

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27949 of 2016

Arising Out of PS.Case No. -3 Year- 2016 Thana -LAHERIASARAI District- DARBHANGA

Vijay Sahni Son of Late Laxmi Sahni resident of Mohalla - Bakarganj
Abhanda, Police Station-Laheriasarai, District- Darbhanga

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Girish Chandra Jha, Advocate.

For the Opposite Party : Mr. Chandra Bhushan Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 05-09-2016 Heard both sides.

The petitioner apprehends his arrest in Laheriasarai P.S.
Case No. 3 of 2016 registered for the offences punishable under
Sections 307 and 387 and some other Sections of the Indian Penal
Code.

The informant alleged that while he was returning to his
house Ajay Sahni, Vijay Sahni the petitioner and son of Sanichar
Sahni intercepted him and demanded Rs. 5000/-. On protest the
accused persons began to assault the informant and the petitioner
is alleged to have assaulted the informant with iron rod on his
knee causing fracture injury.

Sri Girish Chandra Jha, learned counsel for the
petitioner submits that, of course, the petitioner is alleged to have

assaulted the informant with iron rod on his knee but from perusal of Annexure-3, the prescription of the doctor, it would appear that the doctor found fracture on account of falling while running. The informant did not disclose this fact to the doctor that he was assaulted by anyone.

It appears that the informant was assaulted by the petitioner and others and immediately the informant was sent to the doctor of DMCH and thereafter the case was lodged. There is fracture injury on the knee of the informant on account of assault made by the petitioner and others.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail in Laheriasarai P.S. Case No. 3 of 2016, pending in the court of Chief Judicial Magistrate, Darbhanga. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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