WEB COPY NOT OFFICIAL

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28793 of 2016

Arising Out of PS.Case No. -55 Year- 2016 Thana -MANIGACHI District- DARBHANGA

==========

1. Ramchandar Kamti @ Ramchandar Kamat, S/O Late Bunni Kamat
2. Bechan Kmat @ Bechan Kamti, S/O Ramchandar Kamat @ Ramchandar Kamti,
3. Shankar Kumar Kamat @ Shankar Kamti, S/O Ramchandar Kamti @ Ramchandar Kamat

All resident of Village-Bhatpura, P.S.-Manigachhi, District-Darbhanga.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

==========

Appearance :
For the Petitioners : Mr. Dharmendra Jha, Advocate.
For the Opposite Party : Mr. Bharat Bhushan, APP.

==========

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 06-09-2016 Heard both sides.

The petitioners apprehend their arrest in Manigachhi P.S. Case No. 55 of 2016 registered for the offences punishable under Section 307 and some other Sections of the Indian Penal Code.

The informant named the petitioners along with other accused persons and alleged that they all having armed with different weapons came to his Darwaja. The petitioner no. 3 Shankar Kumar Kamat @ Shankar Kamti assaulted the informant with Pharsa on his head and petitioners Ramchandar Kamti @ Ramchandar Kamat and Bechan Kmat @ Bechan Kamti assaulted the son of the informant with Pharsa.

Learned counsel for the petitioners submits that there is counter version being Manigachhi P.S. Case No. 56 of 2016, registered under Sections 447, 323, 324, 504 and 34 of the Indian Penal Code on 03.04.2016. The wife of Ramchandra Kamti petitioner no. 1 lodged the aforesaid case. Some quarrel has taken place due to election and that is why this false case has been lodged. It is further submitted that the informant and his son got simple injuries on account of assault made by the petitioners.

From perusal of the case diary and the injury report, it appears that the informant and his son got many injuries on their head and other parts of their body caused by sharp edged weapon. The condition of the informant and his son was serious and consequently they were referred to DMCH, Darbhanga. Of course, the injuries were opined to be simple in nature but since both the informant and his son got different injuries on their head caused by sharp edged weapon, I am not inclined to enlarge the petitioners above named on anticipatory bail in Manigachhi P.S. Case No. 55 of 2016, pending in the court of Chief Judicial Magistrate, Darbhanga.

Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

KKSINHA/-

U		T	

WEB COPY NOT OFFICIAL