

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37829 of 2016

Arising Out of PS.Case No. -237 Year- 2016 Thana -CHAPRA TOWN District- SARAN

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Bachcha Rai, s/o late Sharwan Rai r/v Purwari Rauja, P.S. Chapra Town,
District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 04-10-2016

Heard both sides.

The petitioner apprehends his arrest in Chapra Town
P.S. Case No. 237 of 2016, registered for the offences punishable
under Section 307 and other Sections of the Indian Penal Code.

The informant alleged that while he was going to
attend the call of nature he saw the petitioner and three others
were harvesting his wheat crops. When the informant enquired
about the reason of harvesting wheat crops of his field, Petitioner
Bachcha Rai is alleged to have assaulted the informant Haribansh
Rai with iron rod on his head and when the informant fell down
other accused persons assaulted.

Learned counsel for the petitioner submits that there
is a land dispute between the parties. With regard to the same land,
the informant filed a Title Suit bearing no. 637 of 2015. There is a

counter version bearing Complaint Case No. 1375 of 2016. Biru Rai, the nephew of the petitioner also received different injuries. The petitioner was also treated on the same day in the hospital.

From perusal of the record it appears that there is specific allegation against the petitioner that he assaulted the informant with iron rod on his head and other accused persons are alleged to have assaulted the informant with *lathi*. The informant got two injuries; one, sharp cut wound on left parietal region and another swelling on left forearm. After x-ray the doctor opined the injuries are grievous in nature. The petitioner is author of the injury found on the head of the informant, which is also grievous in nature. The petitioner filed the complaint case after one and half months.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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