

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39628 of 2016

Arising Out of PS.Case No. -234 Year- 2016 Thana -SIWAN TOWN District- SIWAN

=====

1. Laddu Srivastava, Son of Sri Dhruv Srivastava, Resident of village-
Mehiya Kumhar Toli, P.S.- Siwan Town, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. S.M. Rahman

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 10-11-2016

Heard both sides.

The petitioner apprehends his arrest in Siwan Town
P.S. case No. 234 of 2016 under Section 326, 307, 379 of the
Indian Penal Code.

The informant alleged that while he was playing holi
along with his cousin, Kishan Kumar Chouhan, Sonu Chouhan
and Suganti Devi, the petitioner suddenly surfaced and began to
assault the informant and others with knife. The informant
sustained injuries on his chin, head and waist. Sonu Chouhan also
sustained injuries by knife blow. Kishan Kumar Chouhan and
Suganti Devi also sustained injuries caused by the petitioner.

Sir Yogesh Chandra Verma, the learned senior
counsel for the petitioner, submits that the prosecution has

suppressed the genesis of the occurrence and it does not appear to be worth reliable that petitioner without any rhyme and reason suddenly surfaced while the informant and his family members were playing holi. The true facts, which have come during the course of investigation, are that informant and his family members threw Abir on the petitioner. The petitioner forbade them and thereafter some scuffle took place. The injured got simple injuries but from perusal of the case diary, it appears that informant and other witnesses have supported the case of prosecution. The informant and others got incised wounds on different parts of their body.

Considering the fact that the petitioner indiscriminately gave dagger blow to the informant and three others and corresponding injuries are found, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

BKS/-

U		T	
---	--	---	--