

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23519 of 2016

Arising Out of PS.Case No. -396 Year- 2015 Thana -DHANARUA District- PATNA

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1. Vijay Yadav Son of Shiyasharan Yadav, resident of village- Bhayeepur,
P.S.- Dhanarua, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Mukeshwar Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

6 01-09-2016

Heard learned counsel for the petitioner and Mr.

Mukeshwar Dayal, learned counsel for the State.

The petitioner apprehends his arrest in connection with Dhanarua P.S. Case No. 396 of 2015 registered under sections 341, 342, 323, 324, 325, 307, 504/34 of the Indian Penal Code, pending in the court of Sri Hare Ram, Judicial Magistrate, 1st Class, Masaurhi.

It is alleged that while the informant was at the field in order to fix pumping set, the petitioner along with other accused persons arrived there and made protest. In the meantime, it is alleged that the petitioner inflicted pharsa blow on his head. The other accused persons also assaulted the wife as well as mother of the informant.

It is contended on behalf of the petitioner that the informant received lacerated wound on the parietal part of the scalp but the same was not grievous. In fact, the present accused party also received injury for which a separate case was lodged vide annexure-2. The other accused persons have been granted anticipatory bail.

The learned A.P.P. opposed the prayer and submitted that from the order granting bail (annexure-5) it would appear that the Court has noticed that the injuries allegedly caused by those petitioners are not supported by the injury report.

Considering the nature of allegation as attributed and the corresponding injury on the informant, I am not persuaded to extend the privilege of anticipatory bail to the petitioner. This application for anticipatory bail is, accordingly, rejected.

(Kishore Kumar Mandal, J)

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