

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37700 of 2016

Arising Out of PS.Case No. -470 Year- 2014 Thana -SIWAN MUFFASIL District- SIWAN

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1. Ajay Chauhan S/o Late Phulena Chauhan Resident of village- Chanaur,
P.S.- Siwan Muffasil (Dhanauti O.P.), District- Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anurag Saurav

For the Opposite Party/s : Mr. Sri Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 17-10-2016

Heard both sides.

The petitioner is facing prosecution under Sections 341,323, 324, 307, 379 and 506/34 of the IPC vide Siwan (Muffasil) (Dhanauti OP) P.S. Case no. 470 of 2014 and prays for anticipatory bail.

The allegation is that he inflicted farsa blow on the head of the informant. Other accused persons are also said to have assaulted the informant.

Contention of the petitioner is that no definite opinion regarding injury has been given by the doctor inasmuch as X-ray report is still awaiting. The mother of the petitioner had earlier filed a case against the present informant under Sections 325 and 448 of the IPC. In retaliation, the present case has been

lodged.

Learned APP, on the other hand, submits that petitioner is named in the FIR which was lodged in 2014 and after two years, the present application for anticipatory bail. In the meantime, he did not submit to the jurisdiction of the Court. That apart, there is specific allegation of causing injury on head of the informant which is a vital part of the body.

Considering the materials available on record including the allegation, I am not inclined to extend the privilege of anticipatory bail to the petitioner. Prayer is, accordingly, rejected.

(Kishore Kumar Mandal, J)

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