

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47346 of 2015

Arising Out of PS.Case No. -107 Year- 2015 Thana -HASANPUR District- SAMASTIPUR

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Naresh Mahto, Son of Rajendra Mahton, Resident of Chandarpur P.s
Hasanpur District Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Advocate.

For the Opposite Party/s : Mr. Dinesh Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 04-02-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Hasanpur P.S. Case No. 107 of 2015 registered under
Sections 341, 323, 325, 308, 504 and 506/34 of the Indian Penal
Code pending in the court of J.M. Ist class Rosera, Samastipur.

The prosecution case is that the informant asked to his
younger brother, petitioner, as to why he had purchased the
motorcycle by taking money on mortgaging the land. On which,
petitioner and his wife started to abuse the informant then wife of
the informant came there and protest whereupon petitioner gave
iron rod blow at the head of the informant.

Learned counsel for the petitioner submits, in fact,

petitioner is the younger brother of the informant and has falsely been implicated in this case due to ulterior motive. It is further submitted that nine injuries were found on the person of informant but all injuries were simple in nature except injury no. 1, i.e., swelling at DL forearm Pain and X-ray AP and Lat view shows fracture at Ulna (middle portion).

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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