

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3370 of 2016

Arising Out of PS.Case No. -211 Year- 2013 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Dinesh Prasad Gupta Son of late Pyarelal Sah Resident of Village
Jenerwa, P.s Banjariya, Distt East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ray Saurabh Nath

For the Opposite Party/s : Mr. Binod Kumar-Iii(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 21-01-2016 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections
147,148,149,341,447,323,324,327,506,307 and 302 of the Indian
Penal Code.

The prosecution case is that the petitioner along with
five others came variously armed and started constructing house
forcibly on the land of the informant. On protest being made all
the accused persons assaulted the informant. A seven-years-old-
daughter of the informant came weeping at the place of occurrence
when petitioner assaulted her with knife causing injury on the
lower portion of the abdomen who succumbed to the injury.

It is submitted by the learned counsel for the petitioner that the accusation has been levelled in the background of land dispute as the petitioner had purchased the land in question hence the main role has been assigned to him so that the informant side may enjoy the possession of the land in question.

Considering the fact that the accusation of assault to the victim is against the petitioner and the case was registered in 2013, this court is not inclined to grant anticipatory bail to the petitioner in connection with Turkaulia (Banjaria) P.S. Case No. 211 of 2013 pending in the court of learned C.J.M. East Champaran at Motihari.

This application is, accordingly, dismissed.

(Dinesh Kumar Singh, J)

Anil/-

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