

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30447 of 2016

Arising Out of PS.Case No. -192 Year- 2016 Thana -LAHERIASARAI District- DARBHANGA

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Ranjit Yadav @ Ranjit Kumar Yadav @ Kari Yadav son of Lallo Yadav, Resident
of Mohalla- Bakarganj Abhanda, P.S- Laheriasarai, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Jha, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 22-10-2016

Heard learned counsel for the parties.

The petitioner seeks pre-arrest bail in connection with
Laheriasarai P.S. Case No. 192 of 2016 dated 10.05.2016 instituted
under Sections 147/148/149/447/341/323/307/379/504 of the Indian
Penal Code.

The allegation against the petitioner is of assault and
particularly of giving an iron rod blow on the head due to which there
was bleeding and the informant fell down.

Learned counsel for the petitioner submits that the
occurrence took place on the spur of the moment without there being

any motive and later on the informant has also compromised the matter and filed an affidavit to such effect before the Court. It is submitted that there is no injury report to indicate as to whether the same was simple or grievous.

Learned A.P.P. opposes the prayer for anticipatory bail and submits that there is specific and direct allegation of assault on the head by iron rod which had the capacity even to kill and the injury report corroborates injury on the head. It is stated that at this stage the compromise entered between the parties may not be relevant as the law does not permit any compounding in such a situation.

Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on anticipatory bail.

The application, accordingly, stands dismissed.

However, in the event the petitioner surrenders and prays for regular bail before the court below within one month from today, the same shall be considered on its own merits, in accordance with law, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J)

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