

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35086 of 2016

Arising Out of PS.Case No. -96 Year- 2015 Thana -GOVINDPUR District- NAWADA

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1. Rakesh Rajbanshi Son of Dani Rajbanshi resident of Bishanpur, P.S.
Govindpur, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Ranjan Kumar, Advocate

For the Opposite Party/s : Mrs. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 05-12-2016 Heard both sides.

The petitioner apprehends his arrest in Govindpur
P.S. case No.96 of 2015 under Section 307 and some other
Sections of the Indian Penal Code.

The petitioner is alleged to have assaulted Vinod
Rajbanshi with axe on his head.

The learned counsel for the petitioner submits that
Vinod Rajbanshi got one lacerated wound on his head and injury
is opined to be simple in nature but it appears from perusal of the
case diary that charge sheet was submitted on 27.07.2016 showing
the petitioner absconder and processes under Section 82 and 83 of
the Cr. P. C. have already been issued.

Since the petitioner has already been declared



absconder, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, the learned Additional Chief Judicial Magistrate, Nawada in Govindpur P.S. case No. 96 of 2015, the learned court below shall consider the prayer for regular bail of the petitioner taking into consideration that blow of the petitioner caused simple injury on the injured, Vinod Rajbanshi, and dispose of the bail petition, preferably, on the same day.

(Prabhat Kumar Jha, J)

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