

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37464 of 2016

Arising Out of PS.Case No. -27 Year- 2016 Thana -KACHHAWA District- SASARAM (ROHTAS)

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1. Shaukat Ali Khan @ Md. Shaukat Ali Khan S/o Late Hasamuddin Khan
2. Arif Khan @ Arif Ali
3. Shahid Khan @ Md. Shahid Both sons of Shaukat Ali Khan @ Md. Shaukat Ali Khan All resident of village - Turkabigaha, P.S. Kachchhawa, District - Rohtas

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner	: Mr. Satyendra Rai, Advocate.
For the Informant	: Mr. Raghwendra Pratap Singh, Advocate.
	: Mr. Kamlesh Kumar Singh, Advocate.
For the Opposite Party	: Mr. Rajendra Prasad Nat, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 06-10-2016 Heard both sides.

The petitioners apprehend their arrest in Kachchhawa P.S. Case No. 27 of 2016 registered for the offences punishable under Sections 341, 323, 504, 307, 506, 379, 354 and 34 of the Indian Penal Code.

The informant named the accused persons and alleged that they were striking the electric wire with stick, the informant asked them not to do such illegal work on such all the accused persons assaulted the informant and his wife.

Learned counsel for the petitioners submits that there is omnibus and general allegation. In fact, the dispute is with regard

to pathway and the petitioners are next door neighbour of the informant.

On the other hand, learned counsel for the informant as well as learned APP vehemently opposed the prayer for anticipatory bail of the petitioners and submitted that the informant got four injuries out of which three injuries are grievous in nature. Two injuries are found on the head of the informant and both the injuries were opined to be grievous in nature. Similarly the wife of the informant got three injuries out of which one is grievous in nature.

Considering the facts aforesaid and the fact that the petitioners are alleged to have assaulted the informant and his wife and as many as four injuries were found on the head of the informant out of which three injuries are grievous and the wife of the informant got three injuries out of which one is grievous in nature, I am not inclined to enlarge the petitioners above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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