

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55882 of 2015**

Arising Out of PS.Case No. -13 Year- 2015 Thana -AKBARPUR District- NAWADA

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1. Dulchand Chauhan S/o Kapildeo Chauhan, resident of village/ Mohalla-Barail, P.S.- Akbarpur, District- Nawada.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Krishna Deo Raj

For the Opposite Party/s : Mr. Uday Pratap Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH**  
**ORAL ORDER**

3      21-01-2016                      Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in a case under sections 307 and some other sections of the IPC in which later on section 302 of the IPC was also added.

Learned counsel for the petitioner submits that main allegation of assault is against Siyaram Chauhan and Badri Chauhan who assaulted the father of informant with Saif and Khanti on his head. Thereafter, the petitioner assaulted the father of informant with iron rod and Aano Devi and Radhika Devi assaulted him with Lathi. He submits that petitioner assaulted the father of informant on his leg and hand. He submits that father of informant died after two months of the occurrence whereafter section 302 of the IPC was added.

It is true that the main allegation of assault on the deceased is against Siyaram Chauhan and Badri Chauhan, but the petitioner also assaulted him with iron rod on his leg and hand.

Submissions of the petitioner would be appropriate for regular bail. So far anticipatory bail is concerned, I am not inclined to allow the same.

In the result the anticipatory bail petition is dismissed with an observation that in case the petitioner surrenders in the court below, i.e., CJM, Nawada in Akbarpur P.S. case within six weeks and prays for regular bail, the same would be disposed of on its own merit, preferably, on the same day without being prejudiced by this order.

This application is disposed of with the aforesaid direction.

**(Samarendra Pratap Singh, J)**

BKS/-

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