

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13268 of 2017

Arising Out of P.S.Case No. -110 Year- 2014 Thana -DUMARIA District- GAYA

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Nasim Khan, son of Hasan Khan, resident of village-Dumariya, P.S.-
Dumariya, District-Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Javed Jafar Khan, Advocate

For the Opposite Party : Mr. Dinesh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 29-03-2017 Heard.

The petitioner apprehends his arrest in connection with
Dumariya P.S.Case No.110 of 2014 pending in the Court of
SDJM, Sherghati, Gaya registered for an offence under Sections
147, 149, 341, 323, 324, 307, 379 and 504 of the IPC

The informant in his written report submitted before
police has alleged that on 06.12.2014 when he along with few
others was going to attend the marriage ceremony and reached at
the place of occurrence, this petitioner and other accused named in
the FIR assaulted the informant and his men by iron rod and
hockey stick.

The counsel for the petitioner submits that the petitioner
is a driver residing at Chandigarh and he has been roped in this
case only on account of being relative of the co-accused. The



allegation of assault is of omnibus and no offence under Section 307 of the IPC is made out.

The learned APP opposed the submission.

In the written report, I find that the allegation of assault is specific against this petitioner who assaulted by iron rod on the head of the informant. The injury report produced on behalf of petitioner shows that the injury was grievous in nature caused by hard and blunt substance. Having regard to the grievous injuries caused by this petitioner, I do not find it a fit case for anticipatory bail. Accordingly, the prayer is rejected.

(Sanjay Kumar, J)

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