

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9195 of 2017

Arising Out of PS.Case No. -32 Year- 2016 Thana -GADHPURA District- BEGUSARAI

=====

Permishwar Sah Son of Late Bator Sah Resident of Village - Kaura, P.S. -
Garhpura, District - Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Sri Nagendra Prasad

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 30-03-2017 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in
Garhpura P.S. Case No. 32 of 2016, pending in the court of
learned Additional Chief Judicial Magistrate, IV, Begusarai
instituted for the offence under Section(s) 341, 323, 307, 504/34 of
the Indian Penal Code.

There is specific allegation against this
petitioner of assaulting the brother of the informant with iron rod
on his head. It is further alleged that co-accused Doman Sah also
assaulted the brother of the informant on his head with the butt of
the pistol.

The case diary has been received.



Learned A.P.P. has pointed out the statement of the victim Ram Sewak Yadav in para 7 of the case diary, wherein he has levelled specific allegation against this petitioner of assaulting him on his head with iron rod.

The injury report is available in the case diary, wherein the doctor has found two injuries on the head of the brother of the informant and the doctor has mentioned that patient was unconscious and injury has been caused by hard and blunt substance, although opinion has been kept reserved.

It has been submitted on behalf of the petitioner that there is contradiction in the statement of the informant and other witnesses in para 8 of the case diary.

Keeping in view the injury report as well as the statement of the victim which clearly corroborates the case of the prosecution that petitioner assaulted the brother of the informant by iron rod causing injury on his head, this Court is not inclined to enlarge the petitioner on anticipatory bail. The prayer of the petitioner for anticipatory bail is rejected.

The petitioner is directed to surrender before the Court below within a period of six weeks from today in connection with Garhpura P.S. Case No. 32 of 2016 and seek regular bail, which shall be considered and disposed off on its own



merit, preferably on the same day without being prejudiced by the order of this Court.

(Sanjay Priya, J)

Shageer/-

U		T	
---	--	---	--

