

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7122 of 2017

Arising Out of PS.Case No. -114 Year- 2015 Thana -BARGANIA District- SITAMARHI

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Ashok Sah @ Ashok Kumar, Son of late Jai Mangal Sah, Residents of
Village Pachtakki Yadu, Police Station- Bairgania, District- Sitamari.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sri Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 08-03-2017 Heard both sides.

The petitioner apprehends his arrest in Bairganiya
P.S. Case No. 114/2015, registered for the offences punishable
under Section 307 and other Sections of the Indian Penal Code.

The allegation against the petitioner is that the
petitioner assaulted the informant with knife on his head.

Learned counsel for the petitioner submits that there
is land dispute between the parties. The police after investigation
submitted charge-sheet under Section 324 and other Sections of
the Indian Penal Code, but the learned court below took
cognizance under Section 307 and other Sections of the Indian
Penal Code. The injury found on the head of the informant is
simple in nature, *but* it appears that it was the petitioner who



assaulted the informant with knife on his head and one corresponding injury i.e. incised wound in left side parietal skull was found.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders before the court below within four weeks from the date of receipt/production of a copy of this order and prays for regular bail, his prayer shall be considered taking into consideration that the injury inflicted by the petitioner is opined to be simple in nature.

(Prabhat Kumar Jha, J.)

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