

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.24420 of 2017**

Arising Out of PS.Case No. -111 Year- 2016 Thana -BHARGAWAN District- ARRARIA

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1. Raman Kumar @ Raman Kumar Yadav S/o Sri Bindeshwari Yadav,  
Resident of Village- Rahariya, P.S.- Bhargama, District- Araria.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Rajindra Narayan, Sr. Advocate  
Mr. Kundan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

3      06-07-2017                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 325, 379, 307, 427, 506 and 504/34 of the Indian Penal Code.

For land dispute, an occurrence of assault took place wherein specific allegation against petitioner Raman Kumar is that he assaulted with farsa causing injury at the head of Dharmpal Yadav.

The Doctor has found single head injury and opinion is reserved regarding nature of the injury till city scan report.

Learned counsel for the petitioner submits that there is no allegation of repetition of blow. There is, admittedly, land



dispute, case and counter case and some other co-accused have been allowed anticipatory bail by a Coordinate Bench of this Court vide order dated 27.01.2017 passed in Cr. Misc. No. 49103 of 2016.

The allegation against the petitioner is distinguishable to that of the accused persons who were granted anticipatory bail in the aforesaid criminal miscellaneous in the sense that there was no allegation against those accused of commission of injury at the vital part of the body.

The petitioner had knowledge that his act might cause death, hence, I am not inclined to grant anticipatory bail to the petitioner in connection with Bhargama Police Station Case No. 111 of 2016 pending in the Court of learned Additional Chief Judicial Magistrate-II, Araria.

However, in the event of surrender of the petitioner, the court below shall consider the prayer for regular bail without being prejudiced by this order.

**(Birendra Kumar, J)**

Kundan/-

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