

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16028 of 2017

Arising Out of PS.Case No. -723 Year- 2016 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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1. Isfaque Ahmad @ Leda, son of Sarfuddin Ahmad, resident of Khuda Baksh Chowk, Soni Tent House, Meena Bazar, P.S.- Town, Bettiah, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Srivastava, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 30-06-2017

Heard learned counsel for the Petitioner and the State.

The Petitioner apprehends his arrest in Bettiah Town P.S. Case No.723 of 2016 instituted for the offence under Section(s) 341, 323, 324, 307, 504, 379/34 Indian Penal Code pending in the Court of the Chief Judicial Magistrate, West Champaran at Bettiah.

As per written report, informant was returning on his motorcycle along with one Deepak Kumar and while he was passing through Khudabaksh Chowk, a four wheeler dashed his motorcycle and when protest was made by Deepak Kumar then driver of four wheeler along with owner of Soni Tent House and several other persons assembled at the place of occurrence and abused the informant. The mobile shop owner, Aashish Kumar and his staff came to save the informant then they were also



assaulted by the accused persons at the place of occurrence. Aashish Kumar became unconscious. It is alleged that total twelve persons assaulted the informant and other persons.

Counsel for the petitioner submits that he is not named in the First Information Report. Only Dablu has been named in the First Information Report.

Learned APP has submitted that Deepak Kumar has given statement in para 8 of the case diary, wherein, he has levelled specific allegation against the petitioner of causing injury to Amit and Aashish Kumar. Injury Report of Aashish Kumar is available in the case diary in para 27. The Doctor has found after CT scan fracture on the high parietal region with associated scalp edema and subgaleal haemorrhage, which was grievous in nature.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail.

Prayer is rejected.

The petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed of on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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