IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36423 of 2017

Arising Out of PS.Case No. -104 Year- 2017 Thana -BAHADURPUR District- DARBHANGA

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1. Anil Kumar Roy @ Anil Roy Son of Madhu Sudan Roy @ Madasudan Rory, R/o Village- Kharajpur, P.S.- Bahadurpur, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sanat Kumar Mishra
For the Opposite Party/s : Mr. Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-08-2017 Heard the parties.

The petitioner is apprehending his arrest in connection with Bahadurpur P.S.Case No.104 of 2017, registered for offences punishable under Sections 147, 148, 149, 341, 323, 324, 504, 506, 435, 307 and 379 of the Indian Penal Code.

Allegation against the petitioner is of assaulting by '*Farsa'* on the head of the informant and it also appears that other persons have also assaulted by '*Farsa'* on the head of the informant. It further appears that there is case and counter case between the parties.

Submission of the learned counsel for the petitioner is that in order to save their skin from the counter case, the present case has been lodged. There is allegation that two persons have been assaulted by '*Farsa'*, however, only one injury has been found on the head of the informant. No doubt the same was found to be

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grievous in nature and the land dispute is between the parties from before.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, especially that injuries are grievous in nature. To my opinion, this is not a fit case for grant of anticipatory bail,

Let the petitioner surrender within a period of four weeks and make prayer for regular bail before the court below, who will consider submission of the learned counsel for the petitioner though there is allegation against two persons of assault and there is case and counter case and the land dispute is from before.

Considering the aforesaid aspect of the matter, he will dispose of the prayer for bail of the petitioner, if possible on the same day without being prejudiced by the order of this Court.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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