

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37562 of 2017

Arising Out of PS.Case No. -138 Year- 2017 Thana -KISHUNPUR District- SUPAUL

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Rajesh Kumar Yadav Son of Late Ram Prasad Yadav, Resident of Village-
Fulwaria, P.S.- Kishanpur, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Choudhary

For the Opposite Party/s : Mr. Md. Sufiyan

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and the
learned APP appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Kishanpur P.S. Case No.138 of 2017, registered under Sections
341, 323, 324, 307, 504 and 506/34 of the Indian Penal Code.

Allegation in brief is that informant was taking tea at
the stall of the petitioner, some altercation took place with the
petitioner and one Vikram Yadav and they started abusing him so
he made protest then three other co-accused came and assaulted
badly with *lathi* and *danda* to the informant and his son. The son
of the informant became unconscious and fell down thereafter he
was referred to D.M.C.H., Darbhanga by the local doctor.

Learned counsel for the petitioner submits that there



is no allegation of assault against this petitioner rather it is against other accused persons. It is also submitted that the petitioner is a patient of leprosy.

Learned counsel for the State submits that the quarrel was picked up by this petitioner and from his side other accused came and badly assaulted over the head of the informant's son causing fracture of his temporal bone.

Considering the nature of offence, the prayer of anticipatory bail of the petitioner stands rejected in connection with Kishanpur P.S. Case No.138 of 2017, pending in the court of the learned Chief Judicial Magistrate, Supaul.

However, if the petitioner surrenders and seeks regular bail, the same shall be considered on merit without being prejudiced by this order.

(Arun Kumar, J.)

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