

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40730 of 2017

Arising Out of PS.Case No. -150 Year- 2017 Thana -RAJAUN District- BANKA

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1. Md. Shahbaz @ Saijub, S/o Late Md. Salim, Resident of Village-
Dhaharna, P.S.- Rajaun, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the State : Mr. Bal Mukund Prasad Sinha

For the Informant : Mr. Shubhesh Pandey

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioner and learned
counsel for the State as well the informant.

The petitioner seeks anticipatory bail in Rajaun P.S. Case
No.150 of 2017 instituted for the offences under Sections 147,
149, 341, 323, 324, 307, 379 and 504 of the Indian Penal Code.

Petitioner and informant are neighbors. During rainy
season for some dispute they have entered into scuffle.
Allegation has been made against the petitioner to have caused
injury by Khanti blow on the head of the informant.

Learned counsel for the petitioner submits that nature of
injury is not such that it can be a case of Section 307 of the
Indian Penal Code. So much so the Doctor has opined that the
victim should go for examination for C.T. Scan. The injury is
over the head of victim.



In such view of the matter, this Court is not inclined to enlarge the petitioner on anticipatory bail. Accordingly the prayer for bail is rejected. However, if the petitioner surrenders before the court below within a period of four weeks from today, the court below will pass an order on its own merit on the same day without being prejudiced by the order passed by this Court.

Vinay/-

(Shivaji Pandey, J)

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