

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45569 of 2016

Arising Out of PS.Case No. -120 Year- 2016 Thana -PUPRI District- SITAMARHI

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MOHAMMAD MERAJ @ MD. MERAJ ALAM Son of Md. Hakim @
Md. Abdul Hakim, resident of Village- Musaidha (Choraut), P.S.- Pupri,
District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 09-01-2017 Heard both sides.

The petitioner apprehends his arrest in Pupri P.S. Case
No. 120/2016, registered for the offences punishable under
Section 307 and other sections of the Indian Penal Code.

The informant alleged that petitioner Md. Meraj and
Afroz having armed with Farsa and Sword came and assaulted
him on his head and also took out different articles from his house.

Learned counsel for the petitioner submits that petitioner
and others are agnates of the informant. Two persons are alleged
to have assaulted the informant with Farsa and Sword, but only
one injury is found on the head of the informant. Injury is opined
to be caused by hard and blunt object. The case is compromised.



On the other hand, Mr. Ashhar Mustafa learned counsel for the informant as well as learned A.P.P. vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that no compromise is arrived at between the parties. It was the petitioner who assaulted the informant with Farsa on his head and the injury is opined to be dangerous to life.

It appears that a compromise petition is filed along with the bail petition, but the same is of Sitamarhi P.S. Case No. 482/2016, the present case in which the petitioner seeks anticipatory bail is Pupri P.S. Case No. 120/2016. There is specific allegation against the petitioner that he assaulted the informant with Farsa on his head and the injury opined to be dangerous to life.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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