

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38129 of 2017

Arising Out of PS.Case No. -62 Year- 2015 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Sharwan Kumar son of Late Ram Vinit Ray resident of Village Samachak,
P.S. - Hajipur Sadar, District Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.

For the Opposite Party/s : Sri Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 17-08-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends arrest in connection with
Hajipur Sadar P.S. Case No. 62 of 2015 registered for the
offence(s) punishable under section(s) 341, 323, 324, 504, 506,
354, 379, 307/34 of the Indian Penal Code.

It has been alleged that on 06.02.2015, this petitioner
and other co-accused armed with *Lathi, Bhala and Farsa* came
and started construction work over the land of the informant and
on protest, this petitioner assaulted the informant by Farsa.

The learned counsel for the petitioner submits that on
the day of occurrence, scuffle took place between the parties and
in the said scuffle, both the sides sustained injuries. A counter case



has also been filed from the side of the petitioner. There is a land dispute between them and so, the petitioner deserves anticipatory bail.

Learned Additional Public Prosecutor on the other hand opposed the submission.

On perusal of FIR I find that there is a specific allegation that this petitioner assaulted the informant on his head by *Farsa*. The informant sustained bone deep incised wound on middle of scalp as to 3"x 1/4" x 1/2", besides two more injuries including one grievous injury on finger.

Considering the nature of injuries caused by sharp cut weapons, I am not inclined to grant anticipatory bail to the petitioner and accordingly, his prayer is rejected.

(Sanjay Kumar, J)

Mahesh/-

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