

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56466 of 2017

Arising Out of PS.Case No. -204 Year- 2017 Thana -RAMGARH District- BHABHUA (KAIMUR)

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Kharaha Pandey @ Kharaha Pandit, Son of Late Ganga Pandey, Resident of
Village- Garra, Police Station- Nuaon, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 11-12-2017 Heard learned counsel for the petitioner and the learned A.P.P.
for the State.

The petitioner apprehends his arrest in connection with Ramgarh (Nuaon) P.S. Case No.204 of 2017 registered under Sections 341, 323, 353, 354, 379, 427 and 504/34 of the Indian Penal Code besides Section 4 of the Bihar Medical Institution Service and People Protection Act, pending in the court of the Additional Chief Judicial Magistrate, Bhabhua in the district of Kaimur.

The accusation is that the informant being the Ayush Medical Officer, posted at Primary Health Centre, Nuaon, was engaged in the treatment of Manu Tiwary, resident of village-Garra. At that time, 50-60 persons having lathi and danda in their hands came in the hospital and started to abuse and cause assault to the informant, due to which he



sustained grievous injuries. While the informant made request to them but, at that time, Pankaj Tiwary, Mushan Chaubey, this petitioner and Vikash Chaubey caught hold of the informant and pushed him saying him to left the hospital and also damaged the cooler, vaccine box, register and chair of the hospital.

Learned counsel appearing on behalf of the petitioner submits that while the petitioner is named in the F.I.R. alongwith others but no specific overt act is attributed to him. Moreover, three injuries, as found on the person of the informant, are simple in nature caused by hard and blunt substance.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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