

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18188 of 2017

Arising Out of PS.Case No. -35 Year- 2016 Thana -KANHAULI District- SITAMARHI

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Sanjay Mahto @ Sanjay Kumar, Son of Bhikhari Mahto, resident of
Village Kanhauli, P.S. Kanhauli, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Hans Lal Kumar, Advocate.

For the Opposite Party : Mr. Vinod Shankar Modi, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-05-2017 Heard both sides.

The petitioner apprehends his arrest in Kanhauli P.S.
Case No. 35 of 2016 registered for the offences punishable under
Section 307 and some other Sections of the Indian Penal Code.

The petitioner and Madan Mahto are alleged to have
assaulted the wife of the informant with Dabiya and Pharsa.

Learned counsel for the petitioner submits that the
injuries are simple in nature. Co-accused Madan Mahto has
already been enlarged on regular bail by the learned Sessions
Judge, Sitamarhi in B.P. No. 1140 of 2016 vide order dated
26.08.2016.

It appears that the wife of the informant got three
injuries out of which two injuries are on the head. The petitioner is



also alleged to have assaulted the wife of the informant with Pharsa on her head and one lacerated wound is also found.

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

The petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail, his prayer shall be considered on its own merit without being prejudiced by this order and taking into consideration that co-accused Madan Mahto has already been enlarged on regular bail and dispose of the bail petition preferably on the same day.

(Prabhat Kumar Jha, J.)

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