

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3547 of 2017

Arising Out of PS.Case No. -345 Year- 2016 Thana -KRITYANAND NAGAR District- PURNIA
=====

1. Hatta Mehta Son of Shukal Mehta
2. Chulho Mehta Son of Shukal Mehta Both Resident of Village and P.O. Goasi, P.S. K. Nagar (Maranga), District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Amardeep

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh
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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-02-2017 Heard learned counsel for the petitioners
and the learned A.P.P. for the State.

The petitioners apprehend their arrest in K. Nagar(Maranga) P.S. Case No. 345 of 2016 instituted for the offences under Sections 147, 148, 149, 341, 323, 324, 307, 34 of the Indian Penal Code.

As per written report, there is specific allegation against petitioner No. 1 of assaulting the husband of the informant with iron rod causing fracture injury in his hand and leg. It is also alleged that petitioner No. 2 put towel around the neck and tried throttling the husband of the informant.

From the impugned order, it appears that learned Sessions Judge has mentioned that husband of the informant sustained multiple injuries out of which injury nos. 1, 2 and 3 are grievous in nature.



Considering the fact that there is specific accusation against petitioner No. 1 of assaulting the husband of the informant with iron rod which caused grievous injuries to the husband of the informant, this Court is not inclined to grant privilege of anticipatory bail to the petitioner No. 1 namely Hatta Mehta. The prayer for anticipatory bail of petitioner No. 1 Hatta Mehta is hereby rejected.

So far as petitioner No. 2, Chulho Mehta is concerned, even if it is taken that he has put towel around the neck of the husband of the informant as described in the written report, there is no sign of any injury around the neck of the husband of the informant as incorporated in the injury report annexed as Annexure-2 of the petition. Therefore, the prayer of the petitioner No. 2 namely Chulho Mehta for anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with K. Nagar (Maranga) P.S. Case No. 345 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Purnea, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sanjay Priya, J)

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