

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10308 of 2017

Arising Out of PS.Case No. -250 Year- 2016 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Ramyash Rai son of Late Narayan Rai resident of Village - Semra, P.S. -
Chiraiya, District - East Champaran. Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Sri Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

2 15-03-2017 Heard learned counsel for the petitioner, the learned

counsel for the informant and the learned counsel representing the

State.

The petitioner apprehends his arrest in connection
with Chiraiya P.S Case No. 250 of 2016 registered for the offences
punishable under Sections 341, 323, 324, 307, 504 and 506 of the
Indian Penal Code.

Allegedly, the petitioner with an intention to kill the
son of the informant assaulted with iron rod on his head resulting
he became injured and fell down and further became un-
conscious. The informant went there and brought him at Chiraiya
hospital from where he was referred to Motihari Sadar Hospital
and from there doctor referred him to Patna and then he was
treated in Ramanand Hospital, Ramkrishna Nagar, Patna.

Submission is of false implication and that there is



case and counter case. The son of the petitioner has also received injury vide Annexure-4. The son of the informant has received cut injury which is not possible by iron rod and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of pre-arrest bail by submitting that grievous injury has been found caused by blunt material.

In the facts and circumstances stated above, considering the allegations attributed against the petitioner, I am not inclined to grant privilege of pre-arrest to him and accordingly, his such prayer stands rejected in connection with Chiraiya P.S. Case No. 250 of 2016 pending in the Court of learned Sub-Divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran.

However, in case and if so advised the petitioner surrenders and seeks regular bail then his prayer for regular bail shall be considered preferably on the same day on its own merits without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J)

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