

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38267 of 2017

Arising Out of PS.Case No. -28 Year- 2017 Thana -BADHAILA District- SASARAM (ROHTAS)

1. Bahadur Singh Son of Late Tesh Lal Singh, R/o Village- Parariya, P.S.-
Baghaila, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 18-08-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in Baghaila
P.S.Case No. 28 of 2017 registered for offences punishable under
Sections 341, 323, 324, 307, 452, 379, 354 (A), 427, 504 and
506/34 of the Indian Penal Code.

The informant in his written report has stated that on
30.04.2017 when he was sitting at his door, this petitioner and his
family members armed with Garasa and Danda came and started
abusing him. On protest of the informant, this petitioner instigated
to kill him and further he assaulted the informant on his head by
Garasa, causing head injury. Other co-accused took an amount of
Rs. 4000/- from his pocket.

Learned counsel for the petitioner submits that the
allegation against the petitioner is omnibus and co-accused Nand



Kumar Singh @ Bhundal Singh @ Bundal Singh has been allowed anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 32462 of 2017 on 14.07.2017. It is also submitted that the petitioner is agnate of the informant and the present case is counter blast of Mahila P.S.Case No. 29 of 2017 lodged by the wife of the petitioner.

Learned counsel Additional Public Prosecutor opposes the prayer for bail.

On perusal of F.I.R. I find that on the order of the petitioner the other co-accused was assaulted the informant on his head by giving three consecutive farsa blow.

Considering the specific allegation of assault against the petitioner by farsa blow on vital part (head) of the informant, I am not inclined to grant anticipatory bail to petitioner and accordingly, his prayer is rejected.

(Sanjay Kumar, J)

Sudha/-

U		T	
---	--	---	--

