

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45006 of 2017

Arising Out of PS.Case No. -63 Year- 2017 Thana -DIDARGANJ District- PATNA

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1. Mantu Kumar @ Mantu Rai Son of Somari Rai resident of Village -
Didarganj, South strict of Dharamshala, Police Station - Didarganj, District
- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 09-11-2017 Heard both sides.

The petitioner apprehends his arrest in Didarganj P.S.
Case No.63 of 2017 registered under Sections 307 and other
Sections of the Indian Penal Code.

The informant alleged that he put bricks after breaking
boundary wall. But on 06.04.2017, his neighbour, Mantu Rai, the
petitioner came and started stacking the bricks on the boundary
wall. The informant objected that why were you stacking bricks
and closing the ingress and egress of the informant on such,
Somari Rai assaulted and the petitioner is alleged to have
assaulted the brother of the informant with knife.

The learned counsel for the petitioner submits that the



injury found on the person of Subodh Rai, the brother of the informant is simple in nature. There is counter version vide Didarganj P.S. Case No.64 of 2017 but it appears from the injury report that the petitioner inflicted three knife blow which hit on the head and neck of Subodh Rai. Of course, the injuries are simple in nature but all the three injuries were caused by sharp cut and on vital part of body.

Considering the facts aforesaid, I am not inclined to grant anticipatory bail to the petitioner. Accordingly the same is rejected. If the petitioner surrenders in the court below, the learned court below shall consider the prayer for regular bail taking into account that Subodh Rai got simple injuries.

(Prabhat Kumar Jha, J)

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