

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55614 of 2016

Arising Out of PS.Case No. -357 Year- 2015 Thana –KATIHAR TOWN District- KATIHAR

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1. Javed Yusuf, Son of Md. Yusuf, Resident of Mohallla- Rampara, P.S. Nagar, Katihar, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Musowir

For the Opposite Party/s : Mr. Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 13-01-2017 Heard both sides.

The petitioner apprehends his arrest in Katihar Town P.S. case No. 357 of 2015 under Section 307 and other Sections of the Indian Penal Code.

The informant alleged that while he was constructing his wall the petitioner, his cousin brother, came and picked up quarrel and assaulted the informant and his wife on their heads with iron rod. The informant and his wife got injuries on their heads.

The learned counsel for the petitioner submits that petitioner is innocent and, in fact, on account of land dispute the occurrence took place. The injuries found on the person of informant and his wife are simple in nature but it appears from



perusal of the record that without any provocation the petitioner assaulted the informant and his wife with iron rod on their heads. The informant and his wife got blood oozing injuries on their heads but after X-ray no bony lision was found and that is why the injuries opined to be simple in nature but since the petitioner assaulted the informant and his wife without any provocation, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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