

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49136 of 2017

Arising Out of PS.Case No. -123 Year- 2015 Thana -CHANDAN District- BANKA

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1. Chhabbu Yadav S/o Late Kesho Yadav, R/o Village- Joktaha, P.S.-
Chandan (Anandpur O.P.), District- Banka Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner : M/S Ajay Mukherjee & Asha Kumari, Advs.

For the Opposite Party : Mr. Satyendra Prasad, APP 133

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 17-10-2017

Heard both sides.

The petitioner apprehends his arrest in Chandan (Anandpur) P.S. Case No. 123 of 2015 under Section 307 and other sections of the Indian Penal Code.

On account of dispute for irrigation of land, the petitioner is alleged to have assaulted the informant, Tetu Devi, Hero Yadav and Ramesh Yadav with farsa and they all got injuries on their heads and other vital parts of the body.

Mr. Ajay Mukherjee, the learned counsel for the petitioner, submits that the injuries are simple in nature on account of some dispute arose due to irrigation of land. There is no intention on the part of the petitioner to kill the informant and others.

Considering the fact that there is specific allegation against the petitioner, who indiscriminate assaulted the informant and three others with farsa on their heads and there is corresponding injuries, I am not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail is **rejected**.



If the petitioner surrenders in the Court below, the learned Court below shall consider the prayer of regular bail of the petitioner on it's own merit and without being prejudiced of this order and if possible dispose off the same on the same day.

(Prabhat Kumar Jha, J)

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