

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59886 of 2017

Arising Out of PS. Case No.-309 Year-2017 Thana- MARHAURA District- Saran

Rajendra Prasad, S/o Gorakh Prasad, Resident of Village- Awari, P.S.-
Marhurah, District- Saran at Chhapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr. SRI SAKIR AHMAD

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-12-2017 Heard learned counsel for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under sections 147,149,323,324,307,504 and 506 of the IPC.

The prosecution case is that on 30.7.2017 at 9 A.M., the informant Sheo Ratan Prasad Singh was at his house, when his brother Gorakh Prasad came and asked him to withdraw the case. On refusal of the same, he called the petitioner who assaulted the informant with Farsa on his head, while others also assaulted him with lathi. When the wife of the informant Urmila Devi and son Nitesh Kumar came to his rescue, they were also assaulted. The impugned order suggests that a sharp cut injury has been found on the right parietal region of the informant.

It is submitted by learned counsel for the petitioner that in



the background of the land dispute between the parties, the petitioner has been roped in the present case. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Since there is a specific accusation against the petitioner of causing injury with Farsa on the head of the informant, this Court is not inclined to grant anticipatory bail to the petitioner but keeping in view the fact that there is no accusation of repeating the blow and the submission on behalf of the petitioner that the injury has been found to be simple, it is a case for consideration of the prayer of the petitioner for regular bail by the learned court below in case the petitioner surrenders within six weeks in connection with Marhowrah P.S. Case No. 309 of 2017 pending in the court of the learned JM – I, Saran at Chapra.

With the aforesaid observation/direction, this application is disposed of.

(Dinesh Kumar Singh, J)

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