

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53487 of 2018

Arising Out of PS.Case No. -59 Year- 2018 Thana -THAKURGANJ District- KISANGANJ

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IRFAN, SON OF ETIBUL RAHMAN RESIDENT OF VILLAGE-
DHUMGARH WARD NO.2, P.S.-THAKURGANJ, DISTRICT-
KISHANGANJ.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr. Sri Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 04-09-2018

Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor.

In the background of land dispute, it has been alleged at the end of informant Aftab Alam, that petitioner along with others after forming an unlawful assembly raided his house, abused and began to assault. They have also assaulted wife of his younger brother Sakina Khatoon, Halila Khatoon, Minhaj Alam. During course thereof, it has also been alleged against the petitioner to have inflicted rod blow over his head. From the order impugned, it is evident that informant had sustained the corresponding injury over his head being grievous in nature.

Learned counsel for the petitioner has submitted that in spur of moment occurrence had taken place and that being so, it could not be said that the act whatever been alleged against the petitioner was with an intention to kill the informant.



The learned Additional Public Prosecutor opposed the prayer.

Considering the allegation, prayer for anticipatory bail is rejected. However, the petitioner will be at liberty to raise the issue before the learned lower court during course of regular bail.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

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