

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40709 of 2018

Arising Out of PS. Case No.-18 Year-2018 Thana- BANGAON District- Saharsa

ANSHUMAN KUMAR @ GOLU KUMAR @ GOLU @ ANSHUMAN
KATYAN @ ANSHUMAN KUMAR KHAN S/o Pawan Kumar Khan, R/o
Vill.- Bangaon, P.S.- Bangaon, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Counsel
For the Opposite Party/s	:	Mr. Nawal Kishore Prasad APP
For the Informant	:	Mr. Sanjay Kumar Tiwari

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-08-2018 Heard learned counsel for the petitioner, learned APP for the
State and learned counsel for the informant.

Petitioner apprehends his arrest in Bangaon P.S. case no. 18 of
2018 instituted for the offence under Section(s) 341, 324, 325, 307,
379, 384, 504 and 506/34 of the Indian Penal Code.

In the written report, it is alleged that on the date of
occurrence, when the informant was coming to his house with Rs.
80,000/- which he had taken from the petroleum dealership of
maternal uncle, in the meantime, at Babaji Kuti Bangaon co accused
Amit Kumar pointed out three nut on the temple of the informant
and co accused Anshuman Kumar @ Golu Kumar assaulted the
informant by means of iron rod on his head. As a result of which,
the informant fell down on the ground. Thereafter co accused Amit
Kumar snatched Rs. 80,000/- from the pocket of the informant.



When the informant tried to stand up then this petitioner assaulted the informant on his head which was saved by him from his left hand, on account of which, he received fracture injury on his left hand. It is further alleged that co accused Awinash Kumar assaulted by means of hockey stick on the left leg of the informant due to which informant fell down. Nearby people came on *hulla* and co accused Amit Kumar gave threat to the informant to give Rs. one lac per month as *Rangdari* or face dire consequences.

Learned counsel for the petitioner has submitted that informant entered into the courtyard of co accused Anshuman Kumar @ Golu in an inebriated condition and tried to outrage the modesty of mother of this petitioner for which Bangaon P.S. case no. 19 of 2018 was registered. It has further been submitted that in the instant case informant has received injury.

Learned counsel for the informant, on the other hand, has appeared and opposed the prayer for bail. He submits that after considering all these submissions the prayer of anticipatory bail of two other accused persons, namely, Amit Kumar and Awinash Kumar has already been rejected by Co-ordinate Bench of this Court vide order dated 3.7.18 passed in Cr. Misc. no. 37796 of 2018. In the instant case, there is specific allegation against this petitioner of assaulting the informant with iron rod on his head.

Case diary has been received wherein the injury report of the informant is available which shows that informant has sustained



grievous injury. There is specific allegation against this petitioner of assaulting the informant. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer for anticipatory bail of the petitioner stands rejected.

However, petitioner is directed to surrender before the Court below within a period of six weeks from the date of receipt of this order and make prayer for regular bail which shall be considered and disposed of, if possible on the same day, on its own merit in accordance with law without being prejudiced by the present order.

(Sanjay Priya, J)

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