

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17560 of 2018

Arising Out of PS.Case No. -145 Year- 2017 Thana -KAMTAUL District- DARBHANGA

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Lalan Raut S/o late Babuji Raut R/o Village- Ratanpur, P.S. Kamtaul,
District- Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s : Mr. Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 09-04-2018 Heard both sides.

The petitioner apprehends his arrest in Kamtaul P.S.
Case No.145/2017 registered under Sections 341, 323, 147, 149,
148, 354(B), 324, 448 and 504 of the Indian Penal Code.

The informant named the petitioner along with other
accused persons and alleged that they having armed with different
weapons came to her house. They began to abuse her. The
petitioner Lalan Raut is alleged to have assaulted Ramdhuni Raut
with axe on his head. The petitioner is also alleged to have pulled
sari of the informant, making her naked.

Learned counsel for the petitioner submits that the
occurrence took place due to land dispute. There is counter version
being petitioner is own first cousin of the informant. On account



of land dispute, Kamtaul P.S. Case No.148/2017. The petitioner also sustained grievous injury on account of fracture of his hand. From the side of the petitioner, three persons got grievous injury. From the side of informant, only Ramdhuni Raut is alleged to have got one grievous injury on his head but it appears that it was the petitioner, who is the author of the injury found on the head of Ramdhuni Raut, which is opined to be grievous in nature and caused by sharp edged weapon such as axe.

Considering the aforesaid fact I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected, in connection with Kamtaul P.S. Case No.145/2017, pending in the court of learned S.D.J.M., Kamtaul at Darbhanga.

If the petitioner surrenders in the court below, the learned court below shall consider the bail of the petitioner on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J)

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