

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57851 of 2018

Arising Out of PS.Case No. -109 Year- 2018 Thana -HATHUA District- GOPALGANJ

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1. Shahjad Khan, Son of Chand Khan, Resident of Village- Yado Pipera,
P.S.- Hathua, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Prasad

For the Opposite Party/s : Mr. Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-11-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case registered
under Sections 341, 323, 324, 307, 379, 504, 34 of the Indian
Penal Code.

The prosecution case, in brief, is that when the informant was
sitting at his door, the accused persons came to him and claimed
the land in question. In the backdrop of the said land dispute,
having armed with Lathi, Danda and iron rod, came there and
assaulted him, as a result of which, he sustained injury.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The



petitioner has been falsely implicated in the present case. Both parties are agnates. Due to previous enmity, the petitioner has been made accused in the present case.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R. The specific allegation of making assault upon the victim has been alleged against the petitioner. The nature of injury is said to be grievous.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail of the petitioner in connection with Hathua P.S. Case No. 109 of 2018 is rejected.

If the petitioner surrenders in the court below and seek regular bail, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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