

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3468 of 2018

Arising Out of PS.Case No. -147 Year- 2017 Thana -KEOTI District- DARBHANGA

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1. Md. Naushad, son of late Md. Shamsul, resident of village- Asraha,
P.S.- Keoti, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Advocate

For the Opposite Party/s : Mr. Chandrasen Prasad Singh, APP

Md. Kamran, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 06-03-2018

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the informant.

Petitioner apprehends his arrest in **Keoti P.S. Case No.147 of 2017** instituted for the offence under Section(s) 307 and other allied sections of Indian Penal Code pending in the Court of the **Additional Chief Judicial Magistrate. VII, Darbhanga.**

In the written report, allegation against the petitioner is that he assaulted the informant with sword on head causing bleeding injury on head. The informant fell down on the ground. Thereafter, another accused, Md. Joha, assaulted him with rod on the right leg and Md. Tauqueer assaulted him with rod on the left knee causing injuries in the leg and hands.

Case diary has been received, wherein, injury report



is available. Injury no.1 is laceration over scalp measuring about 4 cm x ½ cm x skin deep. Besides this, two injuries have also been sustained by the informant over right side of leg and left wrist. Injury no.1 was opined to be simple in nature and injury no.3 was opined to be grievous.

From the injury report, it appears that there was repetition of blow by the accused persons and total three injuries have been sustained by the informant.

There is specific allegation against the petitioner of assaulting the informant with sword.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail.

Prayer of the petitioner for grant of anticipatory bail is **rejected**.

Petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed off in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

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