

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37663 of 2018

Arising Out of PS. Case No.-600 Year-2017 Thana- HAJIPUR SADAR District- Vaishali

Bhola Rai, S/o Ramdeo Rai, resident of Village- Chaktulla, P.S.- Sadar
Hajipur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prashant Kumar, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-07-2018 Heard learned Counsels for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 307, 323, 324,341, 447, 504/34 of the Indian Penal Code.

The prosecution case got initiated on the Fardbeyan of Lal Babu Rai, recorded by A.S. I. of Police, Town Police Station, Hazipur on 23.11.2017 at 06.00 P.M. at emergency ward, Sadar Hospital, Hajipur, to the effect that on 23.11.2017 at 12.00 P.M., the informant was at his purchased land, when, the accused persons came and started filling soil on the said purchased land of the informant. On protest being made, the petitioner assaulted with Hasua on the head of the informant. As a result, he fell down and thereafter other accused persons started assaulting the



informant with fists, slaps and legs.

It is submitted by learned counsel for the petitioner that in fact the land in question was purchased by the petitioner. It was the informant who forcibly tried to occupy the same. Two injuries have been found, on the persons of the informant i.e., one lacerated wound over skull which 1½ ” x 1/2” and abrasion over right side of neck. Both the injuries have been found to be caused by hard and blunt substance, whereas, the accusation has been levelled to cause injury with ‘Hasua’, which is a sharp cut weapon. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by Mr. J. N. Thakur learned APP for the State that there is specific accusation against the petitioner.

Considering the accusation being levelled in the background of land dispute and the injury not being corroborated by the medical opinion, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of the learned CJM, Vaishali at Hajipur, in connection with Hajipur Sadar P.S. Case No.600 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--

