

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12277 of 2019

Arising Out of PS. Case No.-62 Year-2018 Thana- MADHUBANI TOWN District-
Madhubani

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ANISH KUMAR aged about 21 years, Male, S/o Ramdayal Yadav Resident
of Village- Khajauri, P.S.- Town, District- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-03-2019 Heard learned counsel for the petitioner. No one
appears on behalf of the State.

The petitioner is seeking anticipatory bail in
connection with Town P.S. Case No. 62/2018 registered
under Sections 341, 323, 324, 307, 379, 354(B), 504, 506,
34 of the Indian Penal Code and $\frac{3}{4}$ of Diyan and Bhut Act
pending in the court of learned learned Chief Judicial
Magistrate, Madhubani.

As per prosecution version the mother of the
informant was assaulted saying that she is a Witch (Dyan)
and place witch craft. She was undressed. One Ram Dayal
Yadav assaulted her with Farsa on the head and thereafter
this petitioner has allegedly given a Farsa blow upon the



informant on his head because of which he got injured. It is alleged that when his father and sister came to save they were also assaulted.

Learned counsel for the petitioner submits that the petitioner has committed no offence and the entire prosecution version is full of concocted story. It is also stated that father of this petitioner has also filed a case against the informant and others giving rise to Town P.S. Case No. 61/2018. Both the parties are said to be fighting over a land dispute.

No one appears on behalf of the State to oppose this application.

This court has gone through the records and finding that there is allegation of giving a Farsa blow against this petitioner, this court is not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail of the petitioner is refused.

However, in case, the petitioner surrenders and prays for regular bail in the court below within a period of six weeks from today, his prayer for regular bail shall be



considered by the court below keeping in mind that there is a case and counter case. The parties are said to be fighting over a land dispute. The prayer for regular bail of the petitioner shall not be refused only because this court has not granted anticipatory bail to the petitioner.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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