

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26526 of 2019**

Arising Out of PS. Case No.-61 Year-2016 Thana- KHANPURA District- Samastipur

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LAKHAN SAH @ RAM LAKHAN SAH S/o Sukhan Sah Resident of
Village- Suroul, P.S.- Khanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra
For the Opposite Party/s : Mr.Amit Kumar Rakesh

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 17-07-2019 Heard both sides.

The petitioner apprehends his arrest in Khanpur P.S.
Case No.61 of 2016 registered under Section 307 and Sections
of the Indian Penal Code.

The prayer for anticipatory bail of the petitioner was
earlier rejected by order dated 20.10.2016.

Learned counsel for the petitioner submits that police
after investigation submitted chargesheet under Section 342,
323, 354, 504 and 34 of the Indian Penal Code but learned
Magistrate took cognizance under Section 307 I.P.C. also.

It appears that there is specific allegation that it was
petitioner, Lakhan Sah who assaulted Vimlesh Shah, the
husband of the informant with iron rod on his head and the
injury of Vimlesh is opined to be grievous in nature. Petition for



anticipatory bail of the petitioner was rejected on 20.10.2016 but the petitioner evaded his appearance for more than 2 ½ years and again filed this petition for grant of anticipatory bail.

Taking into consideration the facts that it was petitioner who assaulted the husband of the informant with iron rod and the injury found on the head of the husband of the informant is opined to be grievous in nature, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, once again the same is rejected.

S.P., Samastipur is directed to arrest the petitioner as the petitioner is evading his arrest for about three yeas. Let a copy of this order be sent to S.P., Samastipur for information and needful.

(Prabhat Kumar Jha, J)

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