

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38413 of 2019

Arising Out of PS. Case No.-33 Year-2019 Thana- TRIVENIGANJ District- Supaul

MD. RAJJAK Son of Late Md. Sultan Resident of Village - Karharwa, Ward
No. 10, P.S.- Tribeniganj, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, Adv.

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 13-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 341, 323, 427, 448, 379, 307, 354B, 504,
34 of the Indian Penal Code registered in connection with
Tribeniganj P.S. Case No. 33/2019.

3. It is submitted that the petitioner has been falsely
implicated and there is no delay in lodging the FIR on
30.01.2019 for the alleged occurrence on 28.01.2019. The
petitioner's side has also filed an FIR as counter case on
09.02.2019. It is submitted that there is land dispute between the
parties, who are close agnates. The petitioner is said to have
assaulted the informant's son, Md. Jiyaul, on the head with
Dabiya which is not corroborated from the injury report which
shows injury on the head caused by hard and blunt substance in



respect of which final opinion has been kept reserved. Petitioner claims clean antecedent.

4. The learned APP on the other hand refers to para-26 of the case diary containing the injury report of the informant's son Md. Jiyaul which discloses that there is hair line fracture on the right side of the perital bone. It is therefore submitted that serious injury has been sustained by the informant's son on the head which is a vital part of the body and such injury is attributed to the petitioner.

5. Having regard to the nature of accusations and the gravity of the offence alleged, this court is not inclined to grant the privilege of anticipatory bail to the petitioners. The anticipatory bail petition stands dismissed.

(Vikash Jain, J)

Prakash Narayan /-

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