

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65437 of 2018

Arising Out of PS. Case No.-120 Year-2018 Thana- BIDUPUR District- Vaishali

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Anandi Rai, Son of Late Maheshwar Rai, Resident of Village-Kathauliya,P.S.,
Bidupur, Distt.-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Manish Kumar 2, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 11-03-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bidupur P.S. Case No. 120 of 2018 registered under
Sections 147, 341, 447, 323, 324, 307, 354, 504 and 506 of the
Indian Penal Code, pending in the court of Chief Judicial
Magistrate, Vaishali at Hajipur.

The accusation is that grandson of informant,
Gulabi Devi, had gone to attend the call of nature. At that time,
Pappu Kumar, who used to reside at the house of his maternal
grandfather, Deo Narayan Rai, started assaulting through fist
and slaps. On hearing the sound of weeping of her grandson,
informant, Gulabi Devi, went there and made protest. In the



meantime, six persons named in the F.I.R. including the petitioner having iron rod and Farsa came there. Thereafter, this petitioner, caused injury through Farsa at the head of the informant, in which, she sustained injury and Pappu Kumar snatched gold chain from the neck of the informant.

Learned counsel for the petitioner submits that while the petitioner is named in the F.I.R. along with five others with specific allegation to cause injury through Farsa at the head of the informant but one injury as found on the persons of the informant is said to be caused by hard and blunt substance not by sharp cutting weapon.

Learned Additional Public Prosecutor for the State submits that there is specific allegation against the petitioner to cause injury through Farsa at the head of the informant and moreover, as per injury report, the injury is said to be caused by hard and blunt substance and opinion is kept reserved. It is further submitted that the informant was referred to the P.M.C.H for better treatment.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands



rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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