

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48804 of 2019**

Arising Out of PS. Case No.-590 Year-2016 Thana- SUPAUL District- Supaul

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Laltu Mukhia @ Shiv Nath Mukhia, Son of Balam Mukhia, Resident of  
Village - Basbitti, P.S.- and Dist.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Pramod Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

3      16-11-2019                      Heard learned counsel for the petitioner, learned APP  
for the State as well as learned counsel for the informant.

The petitioner in this case is seeking anticipatory bail in  
connection with Supaul P.S. Case No.590 of 2016 registered for  
the offences punishable under Sections 147, 148, 149, 341, 323,  
324, 307, 379, 354, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that in course  
of investigation police had submitted a charge-sheet under the  
bailable Sections of the Indian Penal Code, but the learned  
Magistrate differed with the police report and has taken  
cognizance of the offences inter-alia under Section 307 of the  
Indian Penal Code. Learned counsel further submits that the  
parties are co-sharers and they have got land dispute on account of  
which both the parties seem to have entered into free fight and



have lodged case and counter case against each other.

Learned counsel for the informant and learned APP for the State submits that this petitioner had assaulted the son of the informant by Farsa which is a deadly weapon and the fact that the Farsa blow was repeated on vital part of the body clearly suggests that the petitioner had an intention to kill the son of the informant. Referring to the injury report in the case diary it is pointed out that three injuries have been found on the body of the injured suggesting repeated blow given by the petitioner.

Considering the facts and circumstances of the case where it appears that this petitioner had used Farsa and had repeatedly assaulted the son of the informant causing injuries on his body, I am not inclined to grant privilege of anticipatory bail to the petitioner. This application is dismissed.

If the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today, the same shall be considered on its own merit without being prejudiced by the order of this Court keeping in mind the judicial pronouncements on the subject.

**(Rajeev Ranjan Prasad, J)**

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