

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50455 of 2019

Arising Out of PS. Case No.-64 Year-2019 Thana- DAGARUA District- Purnia

MOLVI AFZAL @ MD. AFZAL @ MD. AFZAL HUSSAIN Son of Late
Siddique Resident of Village - Mahalbari Malo Bitra, P.S.- Dagarua, District -
Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 14-08-2019 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, 324, 325, 307,379 ,
504, 506/34 IPC registered in connection with Dagarua P.S. Case
No. 64 of 2019.

3. It is submitted that the petitioner has been falsely
implicated on the accusation of assault on the right hand of the
informant with iron rod causing fracture injury. There is land
dispute and case and counter case between the parties. It is
submitted that the injury is on non-vital part of the body and
there was no intention of causing death, as such the provisions
of Section 307 of the Indian Penal Code are not attracted. The
petitioner claims clean antecedents.



4. Learned APP submits that the petitioner is said to have assaulted by dangerous means causing grievous injury by way of fracture on right ulna of the informant as evident from the injury report.

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

(Vikash Jain, J)

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