

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.54284 of 2019

Arising Out of PS. Case No.-283 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua)

Md. Rushtam Shah @ Rustam Shah, Son of Nasruddin Shah, age about 35 years, Male, Resident of Village - Samhuta, P.S.- Mohania, District - Kaimur at Bhabua.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 29-08-2019 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, 326, 307, 504, 506 and 435 of the Indian Penal Code registered in connection with Mohania P.S. Case No. 283 of 2019.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of land dispute and the FIR is against as many as eight named accused persons. There is case and counter case between the parties who are agnates. It is submitted that there is only accusation against the petitioner of having assaulted injured Nur Hasan with lathi. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the informant appearing suo motu appears and has been heard. It is submitted on behalf of the informant that there is specific accusation against the petitioner that he assaulted the injured Nur Hasan who had sustained grievous injury on his left wrist (Annexure-2).



5. Having regard to the nature of accusations and gravity of offence alleged and considering that the injury sustained by the injured Nur Hasan on his left wrist is grievous in nature, this Court is not inclined to grant anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

(Vikash Jain, J)

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