

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57474 of 2019

Arising Out of PS. Case No.-371 Year-2018 Thana- BANIAPUR District- Saran

Krishna Prasad, Aged about 55 years, Male, S/o Late Asharfi Prasad, R/o village- Dhobawal, P.S.- Baniyapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 18-09-2019 Heard both sides.

The petitioner apprehends his arrest in Baniyapur P.S.
Case No.371 of 2018, registered under Sections 341, 323, 324,
307, 504 and 34 of the Indian Penal Code.

The informant alleged that the petitioner Krishna Prasad and others entered into her house and began to ransack her house. Her daughter-in-law, Savita Devi protested. Krishna Prasad assaulted her daughter-in-law with farsa. When the informant went to save her, the accused persons also assaulted the informant. She further alleged that her son Ravindra Singh came but the petitioner also assaulted him with farsa. The villagers came and save the life of the informant and her family members.

Learned counsel for the petitioner submits that the



petitioner is none else but step son of the informant. On account of land dispute, the occurrence took place. It is admitted that the case was lodged in order to settle the land dispute. The doctor who examined Savita Devi firstly opined that the injuries are simple in nature but later one injury is opined to be grievous in nature. Ravindra Singh, the son of the informant also got injuries. It is submitted that at the first instance the doctor opined that all the injuries sustained by Ravindra Singh were simple in nature but later on the final injury report was given and metacarpal bone was found fractured, therefore, the petitioner deserves bail.

Perused the records. It appears that of course the petitioner is step son of the informant and he got enmity on account of land dispute but there is allegation that the petitioner entered into the house of the informant and assaulted the wife of his own step brother causing injury on her head and when the step brother of the petitioner came, the petitioner also assaulted him brutally. The step brother of the petitioner got one fracture injury on his hand. The wife of the step brother of the petitioner also got one fracture injury.

Taking into consideration the facts that both step brother and the wife of the step brother of the petitioner got



grievous injuries on account of assault made by the petitioner, I
am not inclined to enlarge the petitioner on anticipatory bail.
Accordingly, the prayer for anticipatory bail of the petitioner is
rejected.

(Prabhat Kumar Jha, J)

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