

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58362 of 2019

Arising Out of PS. Case No.-75 Year-2018 Thana- PAHARKATTA District- Kishanganj

MD. PRAWAJ JAFAR @ PRAWAJ ALAM S/o Md. Yunus Alam @ Yunus
Molvi R/o village- Malbasti Bhorathana, P.S.- Pharkatta, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 25-11-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Paharkatta Police Station Case No. 75 of 2018, disclosing offences under Sections 341/323/325/307/379/506 of the Indian Penal Code.

The allegation against the petitioner is that the petitioner, along with other co-accused persons, assaulted the father of the informant by means of iron-rod, which caused fracture of the hands of the informant's father.

Learned Counsel for the petitioner submits that both the parties are co-villagers and there is land dispute between them. He further submits that there is case and counter case between the parties inasmuch as Paharkatta Police Station Case



No. 76 of 2018 has been lodged by the side of the petitioner against the informant and others. He further submits that the petitioner has not committed any offence in the manner alleged.

On the other hand, learned Additional Public Prosecutor opposed the prayer for bail and submits, referring to the case diary, submits that the police, on completion of investigation, has submitted charge sheet against the petitioner, finding the case true against him and there is specific allegation of assault against the petitioner of assaulting the father of the informant and the injury report disclosed fracture of the hand of the informant's father.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that charge sheet has been submitted by the police against the petitioner and there is specific allegation of assault against the petitioner, I am not inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, dismissed.

The petitioner is directed to surrender before the Court below within a period of four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered by the learned Court below on its own merit without being prejudiced by rejection of present



application for grant of anticipatory bail.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

U	√	T	√
---	---	---	---

