

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66699 of 2019

Arising Out of PS. Case No.-201 Year-2019 Thana- LAHERIYASARAI District- Darbhanga

Abhay Choudhary, Aged about 24 years, Male, Son of Ravindra Choudhary,
Resident of Mohalla Ward No.48, Pandasarai, P.S. Laheriasarai, District
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-10-2019 Heard both sides.

The petitioner apprehends his arrest in Laheriasarai
P.S. Case No.201 of 2019, registered under Sections 385, 307
and 379 of the Indian Penal Code.

The informant alleged that his neighbour Abhay
Choudhary, resident of village Pandasarai Gumti demanded
extortion three months ago but the informant did not pay the
money. Abhay Choudhary is a drug addict. On 11.05.2019 while
the informant was taking tea near Bajrangwali Temple and he
made payment, Abhay Choudhary came and asked him to pay
the money. When the informant refused, Abhay Choudhary, the
petitioner repeatedly assaulted him with knife on his head.

Learned counsel for the petitioner submits that the



petitioner is a neighbour of the informant. A *panchayati* was held. The dispute has been resolved. It is further submitted that the informant filed petition before the Police Officer-cum-S.H.O., Laheriasarai about the resolution of dispute (Annexure-3), therefore, the petitioner deserves anticipatory bail but it appears that the petitioner firstly demanded extortion and on account of non-payment of extortion, the petitioner inflicted repeated blow on the head of the informant by knife. The doctor found three lacerated wound on occipital region.

Taking into consideration the facts that on account of non-payment of extortion money, the petitioner made repeated blow on the head of the informant with knife and corresponding injuries were found, of course the injuries are simple in nature but repeated blow was given on head, 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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