

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 73965 of 2019

Arising Out of PS. Case No.-157 Year-2019 Thana- HUSSAINGANJ District- Siwan

NANDA RAM @ NANDLAL RAM Son of Late Bahadur Ram Resident of
Village- Hasanpurwa Tola Rampur, P.S.- Hussainganj, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-11-2019 Heard the learned counsel for the petitioner and
the learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Hussainganj PS case no. 157 of 2019
registered for the offences punishable under Section 379 and
other sections of IPC.

The allegation, according to the informant of this
case, is that on 05.06.2019 at about 8 am, while he was cooking
food, his neighbour i.e. the petitioner herein and other co-
accused persons had come to his door and threatened him to
withdraw the pending case and upon refusal, the petitioner and
others started abusing and assaulting the informant and his
family members. It is further alleged that the petitioner herein
had inflicted “*dab*” blow upon the head of the informant,
resulting in him being inflicted with cut injury on his head and



blood started oozing out, whereafter the other accused persons had also assaulted him by rod and *lathi*. The further allegation is regarding the accused persons having assaulted the wife of the informant.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case on account of land dispute, he is having a clean antecedent and has got no role to play in the alleged incident.

I have heard the learned counsel for the parties and perused the materials on record as also gone through the FIR in question. This Court finds that there is specific allegation as against the petitioner herein of having given *dab* blow upon the head of the informant resulting in serious cut injury on the head of the informant, which also stands corroborated from the injury report, as has been noticed in the impugned order dated 27.08.2019, passed by the learned Sessions Judge, Siwan, hence this Court finds that the petitioner is not entitled to the privilege of anticipatory bail on account of commission of such a heinous crime, thus the present petition stands dismissed.

(Mohit Kumar Shah, J)

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