

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15372 of 2020

Arising Out of PS. Case No.-117 Year-2019 Thana- BIBHUTIPUR District- Samastipur

SHYAM BABU THAKUR Son of Chandra Shekhar Thakur Resident of
Village - Belsandi Tara, P.S.- Bibhutipur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Ranjan, Adv.

For the Opposite Party/s : Mr.Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 13-10-2020 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Bibhutipur P.S.

Case No.117 of 2019 registered under Sections 307, 323, 324,
341 and 34 of the Indian Penal Code.

The informant alleged that Chandra Shekhar Thakur
and two sons of Chandra Shekhar Thakur were concealing
bottles of liquor in his house. On protest, on the order of
Chandra Shekhar Thakur, Ram Babu Thakur assaulted the
informant with iron rod and the informant fell down on the
ground. Shyam Babu Thakur(the petitioner) is alleged to have
assaulted the informant with sickle.

The learned counsel for the petitioner submits that
there is a counter version being Bibhutipur P.S. Case No.118 of
2019. On account of some land dispute, the occurrence took



place. Doctor has found that injury nos.1 and 2 are simple in nature and opinion on injury no.3 which is swelling on head is kept reserved but it appears that petitioner is alleged to have assaulted with sickle, a sharp edge weapon. One incised wound on head about 7 c.m. x 1 c.m. scalp deep was found. Of course, the nature of injury opined to be simple in nature but injury is on vital part with a dangerous weapon.

Taking into consideration the facts aforesaid, I am not inclined to enlarge petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, learned court below shall consider the prayer for regular bail of the petitioner taking into consideration the fact that other accused persons have already been granted regular bail and dispose of the bail petition of the petitioner on its own merit.

(Prabhat Kumar Jha, J)

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