

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27045 of 2020**

Arising Out of PS. Case No.-3 Year-2020 Thana- GAUTAMBUDHNAGAR District- Siwan

MURTUZA ANSARI S/o Late Naimullah Ansari R/o Village- Pachar Hatta,  
P.S.- G.B. Nagar, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Pandey, Advocate  
For the Opposite Party/s : Mr. Dilip Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      12-11-2020      . As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Mr. Dilip Kumar, APP is appearing for the State as it is submitted that the brief has been allotted to him by the office of Advocate General.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

. This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner apprehends arrest in G. B. Nagar PS Case No. 3 of 2020 registered under Sections 341, 323, 307, 379, 504 and 506 of the IPC.

The petitioner is alleged to have assaulted the informant by a sharp Tangi on her head. The informant's mother has also been allegedly assaulted by this petitioner.

It is submitted by learned Counsel for the petitioner that



the prosecution side and the petitioner are agnates and the occurrence has taken place over a family dispute. It is further submitted that only one injury has been found to be grievous.

Learned APP for the State has opposed the prayer for anticipatory bail. It is submitted that there is a direct allegation against the petitioner of assaulting upon head of the informant by sharp Tangi. The allegation stands corroborated by the medical report. In view of nature of allegation petitioner may not be admitted to privilege of anticipatory bail.

Having considered the rival submissions this Court is not inclined to allow the prayer for anticipatory bail.

The prayer for anticipatory bail is rejected.

This Court however clarifies that rejection shall not be taken against the petitioner while considering his prayer for regular bail.

**(Madhuresh Prasad, J)**

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