

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60967 of 2019

Arising Out of PS. Case No.-115 Year-2019 Thana- TRIVENIGANJ District- Supaul

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1. Anil Yadav @ Anil Kumar Yadav, Male, aged about 35 years.
 2. Sunil Yadav @ Sunil Kumar Yadav, Male aged about 32 years.
Both are Son of - Parmeshwar Yadav Resident of Village- Kumyahi, P.S.-
Triveniganj, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kumar Goutam, Advocate
For the State	:	Mr. Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 04-03-2020

Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend arrest in connection with
Triveniganj PS Case No. 115 of 2019 dated 20.04.2019 instituted
under Sections 341, 323, 325, 307, 379, 504/34 of the Indian
Penal Code.

3. The allegation against the petitioners is of assault on
the informant and his wife.

4. Learned counsel for the petitioners submitted that the
FIR has been lodged after three days of the incident. It was
submitted that even the injury report of the informant shows that
the same were simple in nature and caused by hard blunt



substance. It was submitted that as the Government doctor had not found any serious injury, the informant, to create a record had gone to a private hospital the next day in which there is a finding of fracture of mastoid bone. Learned counsel submitted that the said report is fabricated as it is based on the NCCT examination of brain. It was submitted that such report is not available immediately and it takes some time.

5. Learned APP submitted that the report of the Government hospital as well as the private hospital is same with regard to the wound. However, it was submitted that the Government doctor did not get any x-ray done and that is why the informant had to go to a private clinic for treatment where in the NCCT brain test, it was found that there was left mastoid fracture.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioners on anticipatory bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

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