

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76320 of 2019

Arising Out of PS. Case No.-332 Year-2018 Thana- KOTWA District- East Champaran

DINA NATH BHAGAT Son of Mahendra Bhagat Resident of Village -
Fatuha, P.S.- Kotwa, District- East Champaran Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 06-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking anticipatory bail in connection with Kotwa P.S. Case No. 332 of 2018 registered for the offence punishable under Sections 341, 342, 323, 324, 308, 325, 354(B), 379, 504, 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that although the specific allegation of assault on the head is against the petitioner but the medical examination report does not corroborate the nature of weapon which has been attributed to the petitioner and the injury found on the head of the victim cannot be caused by a *Daab* blow as has been alleged.

Learned APP for the State submits that the petitioner had assaulted the victim lady on her head and the only assault is specifically alleged against this petitioner, hence, he does not



deserve privilege of anticipatory bail.

Considering the facts and circumstances of the case wherein this Court finds that there is specific allegation of causing assault on the head of the victim lady is against this petitioner, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. His prayer is thus, refused.

In case, the petitioner surrenders and prays for regular bail before the learned court below within a period of four weeks from today, his prayer for bail shall be considered considering the submission of learned counsel for the petitioner that the petitioner is next door neighbour and nature of weapon attributed against this petitioner is not in consonance with the kind of injury found on the body of the victim, apart from the other materials available on the record and an appropriate order shall be passed without being prejudiced by the present order.

(Rajeev Ranjan Prasad, J)

avin/-

U		T	
---	--	---	--

