

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86115 of 2019

Arising Out of PS. Case No.-55 Year-2019 Thana- NATWAR District- Rohtas

Ramyash Chaudhary @ Ram Yes Kumar, aged about 26 years, male, son of Hari Shankar Chaudhari, resident of Village- Ashiya Tola, P.S.- Natwar, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-02-2020 Heard Mr. Manoj Kumar, learned counsel for the petitioner and Mr. Arun Kumar Singh, learned counsel appearing for the informant.

The petitioner apprehends his arrest in connection with Natwar P.S. Case No. 55 of 2019, registered for the offence punishable under Sections 341/323/324/325/379/307/506/34 of the Indian Penal Code, 1860.

The allegation against the petitioner is that the petitioner along with other accused persons assaulted the uncle of the informant. There is specific allegation against the petitioner that he assaulted the uncle of the informant on his head by means of spade, due to which he sustained injuries and after five days of the occurrence he died in hospital.

Mr. Manoj Kumar, learned counsel appearing for the petitioner submits that petitioner has falsely been implicated in this case inasmuch as there is case and counter case between the parties. Learned counsel further submits that for the same incident a counter case has been lodged by the side of the



petitioner, bearing Natwar P.S. Case No. 56 of 2019 against the informant and others. Learned counsel further submits that from perusal of the First Information Report it would be evident that eleven persons had allegedly assaulted and were made accused. Therefore, the allegation against the petitioner of assault upon the uncle of the informant is false and fabricated.

On the other hand, Mr. Arun Kumar Singh, learned counsel appearing for the informant vehemently opposes the prayer for anticipatory bail of the petitioner and submits that there is specific allegation of assault on the vital part of the body of the uncle of the informant against the petitioner. Learned counsel further submits that due to assault made by the petitioner upon the uncle of the informant, he sustained injuries and subsequently, died after five days in hospital.

After having heard learned counsel for the parties and taking into consideration the fact that the uncle of informant has died due to injuries caused by the petitioner, I am not inclined to grant anticipatory bail to the petitioner.

The petition is rejected.

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(Anil Kumar Sinha, J)

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