

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15820 of 2023

Arising Out of PS. Case No.-146 Year-2021 Thana- BARACHATTI District- Gaya

CHOTU QURASHI @ MUJAHID KURESI @ CHOTU KURESI S/O MD.
ABBAS KURESI R/O VILLAGE- BAJARKAR, P.S.- BARACHATTI,
DIST- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Barachatti P.S. Case No. 146/2021 for the offence registered under Sections 341, 342, 323, 325, 307, 379 and 504/34 of the Indian Penal Code lodged on 04.03.2021 by the informant, Madan Yadav.

The prosecution case, in short, as per Fardbeyan of informant, Madan Yadav is that on 23.02.2021, at about 7:30 P.M., one person, in drunken condition, started abusing him and also called his relative persons telephonically and when the bus reached near Sullebatta, all accused dragged him out from the



bus and started beating him with '*Lathi-Danda*', '*Hockey*' stick and '*iron rod*' due to which he sustained grievous injuries. It has been further alleged that Nasir Kuresi and Chotu Kuresi hit him with '*iron rod*' on his head, he suffered head injury. Nasir took out revolver and tried to fire on him. However it misfired and Tushik, Ahsan, Samse @ Aafar, Anwar and Aafsar started beating him with '*hockey*' stick, '*Pasuli*' and '*rod*' due to which his both hands got fractured and other also suffered other injuries. Thereafter, he fell unconscious and in the meanwhile Tushik took out Rs.5000/-from his pocket and Nasir Kuresi took his '*golden chain*' of about 16 Gram. Thereafter, they ran away from the spot once the people gathered. He was taken to the hospital by his family members.

Accordingly, the FIR.

In view of the fact that there is direct allegation of hitting with the iron rod on the head causing head injury, certainly this is not a fit case for grant of anticipatory bail.

Accordingly, the anticipatory bail application stands rejected.

However, if the petitioner surrenders within a period of four weeks from today, the Court concerned shall take up the matter and dispose of the same without being prejudiced by any



of the observation made therein preferably on the same day.

(Rajiv Roy, J)

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