

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63909 of 2023

Arising Out of PS. Case No.-165 Year-2023 Thana- BUXAR INDUSTRIAL District- Buxar

Rajesh Kumar @ Rajesh Kumar Yadav Son Of Bijay Kumar @ Bijay Yadav
Resident Of Village - Amadhari, P.S. - Buxar (IND), District - Buxar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bachhanji Ojha, Advocate
		Mr. Anand Kumar Ojha, Advocate
For the State	:	Mr.Ram Sumiran Rai, APP
For the informant	:	Mr. Sanjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner, the learned
APP for the State and learned counsel for the informant.

2. The petitioner is apprehending his arrest in connection with Buxar (Ind) P.S. case No. 165 of 2023 registered for the offence punishable under Sections 341, 323, 307, 354(A), 504, 506/34 of the Indian Penal Code.

3. The allegation is that based on a rival claim to a portion of land, the petitioner along with others has assaulted the prosecution party.

4. The learned counsel for the petitioner submits that there is a case and a counter case and the scuffle took place at the spur of the moment.

5. Learned APP for the State and learned counsel for



the informant have pointed out that the assault attributed to the petitioner has resulted in injuries on the head and face of one Anil Yadav, son of the informant who has also suffered a fracture of his nasal bone.

6. Having regard to the nature of injury and the allegation, the Court is not inclined to allow the prayer for anticipatory bail to the petitioner.

7. It is thus submitted by learned counsel for the petitioner that in the event, the petitioner surrenders for availing the remedy of regular bail, the same is required to be considered on its merits.

8. In view of such submission, the Court would only observe that rejection of the prayer for anticipatory bail is not to be taken against the petitioner, if and when he avails the remedy of regular bail by surrender in the Court.

9. The application is rejected.

(Madhuresh Prasad, J)

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