

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30110 of 2024

Arising Out of PS. Case No.-663 Year-2023 Thana- BARHARA District- Bhojpur

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Ravi Upadhaya @ Ravi Prakash Upadhaya son of Late Krishna Mohan
Upadhyay Resident of Village- Barahara, P.S.- Barahara, Dist.- Bhojpur (Ara)

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alka Singh

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 21-09-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Barahara PS Case No. 663 of 2023 dated 21.11.2023 registered for the offence under Sections 341, 323, 307, 504, 506, 379 / 34 of the IPC.

3. As per the prosecution case on 21.11.2023 the informant was cleaning his land in the meanwhile the petitioner and other co-accused came with iron rod, “lathi”, “danda” and sword and assaulted the informant. The petitioner assaulted on his head by means of rod due to which he sustained injury.

4. Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged. However, submission is that there was land dispute between the parties and case and counter case is also there. The side of the petitioner



has also lodged Barhara P.S. Case No. 664 of 2023 in which petitioner's side has sustained injury. He further submits that altogether three persons sustained injury.

5. The injury attributable to the petitioner, who assaulted Kailash Pandey appears to be serious in nature (a cut of 2.5" length on the frontal scalp) though the doctor has reserved his opinion.

6. There is direct allegation against the petitioner of assault on the head of the informant.

7. I am not inclined to grant the privilege of anticipatory bail to the petitioner. The same stands rejected.

8. However, if the petitioner surrenders before the court below and seeks regular bail, the court may consider the same without being prejudiced by the fact that the present anticipatory bail application has been rejected.

(Anil Kumar Sinha, J)

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