

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72085 of 2024

Arising Out of PS. Case No.-69 Year-2024 Thana- KOTWA District- East Champaran

Gayasuddin @ Gayasuddin Miyan @ Hawaldar S/O Hedayat Miyan @
Hidayat Miyan R/O Village-Jasauli,P.S. Kotwa,Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Rathore

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Kotwa P.S. Case No. 69 of 2024 registered for the offences punishable under Sections 323, 324, 307, 354, 379, 504, 506, 34 of the Indian Penal Code.

3. As per prosecution case, petitioner is said to have given repeated blow by means of sickle upon the informant as a result of which informant sustained injury on head and hand.

4. Learned counsel for the petitioner submits that there is case and counter case between the parties and hence, free fighting cannot be ignored. Both parties are co-villager and there is old dispute between the parties. Petitioner bears no criminal antecedent.



5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that there is specific allegation of repetition of blow against the petitioner which is supported and corroborated by the injury report, as mentioned in the impugned order. Hence, petitioner does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner as well as material available on record, I am not inclined to grant privilege of anticipatory bail to petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is, hereby, rejected.

(Alok Kumar Pandey, J)

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