

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24260 of 2015

Arising out of PS.Case No. -39 Year- 2014 Thana -KAHAIYA District- MUZAFFARPUR

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Babloo Shahi, S/o Funni Shahi, R/o village - Harpur, P.S.- Kathaiya,
District - Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Chhote Lal Mishra, Advocate.

For the Opposite Party : Mr. Rajeev Nayan (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-07-2015 The petitioner is apprehending his arrest in connection

with Kathaiya P.S. Case No. 39 of 2014 for the offences instituted

under Section 302/34 of the I.P.C.

Heard learned counsel for the petitioner and learned
counsel for the State.

The prosecution story, in brief, is that in the morning
the informant's son Mithilesh Kumar Manjhi was assaulted by
Sanjay Shahi, Pintoo Shahi, Nitesh Shahi, Dolly Shahi and Babloo
Shahi and this petitioner as a result of which he died. The
occurrence has been committed on account of dispute arose due to
ridding on she-buffalo.

It has been submitted on behalf of the petitioner that
general and omnibus allegation has been made against him and no

specific injury has been attracted against him. Further it is submitted that there is no eye witness to occurrence.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R. and he has participated in the occurrence.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner and the same is rejected in connection with Kathaiya P.S. Case No. 39 of 2014, pending in the court of the learned J.M. Ist Class, Muzaffarpur. Anyhow, if the petitioner surrenders within a period of six weeks in the court below the case of the petitioner shall be considered on its own merit without being prejudiced by this order.

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(Sudhir Singh, J)