

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40391 of 2014

Arising Out of PS.Case No. -156 Year- 2013 Thana -GARKHA District- SARAN

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Masiuddin Khan son of Hasmuddin Khan, resident of village- Raghupur,
P.S.-Garkha, District- Saran at Chapra

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Narendra Kumar, Advocate

For the Opposite Party/s : Mr. H.A.Khan, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH

ORAL ORDER

7 19-08-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The present application under section 438 of the Code of Criminal Procedure has been filed seeking anticipatory bail in connection with Garkha P.S. Case No.156 of 2013 registered under sections 147, 148, 149, 341, 323, 324, 307 and 504 of the Indian Penal Code.

It is contended that there is a case and counter case in which members of both sides sustained injury. It is also contended that one of the brothers of the petitioner, who is also a co-accused, sustained injury in the alleged occurrence.

On the other hand, learned counsel for the State has opposed the prayer for anticipatory bail. He has submitted that there is allegation that the petitioner had caused injury to the

informant and one another with *Bhujali*. From perusal of the impugned order, it would appear that two persons had sustained cut injury due to assault caused by the petitioner.

Regard being had to the nature of allegation, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for bail is rejected.

In case the petitioner surrenders and seeks bail, the same shall be considered on its own merit without being prejudiced in any manner by the order passed by this Court.

(Ashwani Kumar Singh, J)

Md.S./-

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