

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 42760 of 2014

Arising Out of PS.Case No. -1 Year- 2014 Thana -SITAMARHI District- SITAMARHI

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Mohit Agrawal @ Mohit Kumar Agrawal @ Manu Kumar Son of Manoj
Agrawal @ Manoj Kumar Agrawal Resident of Mohalla - Shankar Chowk
Old Exchange Road Ward No. 10, Police Station + District – Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

2 20-03-2015

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

The petitioner apprehends arrest in
Sitamarhi P.S. Case No. 1 of 2014 dated 01.01.2014
instituted under Sections 341/324/307/504/34 of the Indian
Penal Code.

Learned counsel for the petitioner submits
that it is a case of false implication inasmuch as the petitioner
along with the victim and another co-accused after having
liquor had returned to their houses but the victim seems to
have fallen on the road resulting in injury but at the instance
of the family members, the victim had lodged this false case.

Learned A.P.P. opposes the prayer for
anticipatory bail and submits that three incised wounds have
been found on the skull, right parietal region and back of the

chest caused by sharp object and thus the allegation of assault by knife gets corroborated.

Considering the facts and circumstances of the case and the specific nature of allegation against the petitioner, this Court is not inclined to enlarge the petitioner on anticipatory bail.

The application, accordingly, stands dismissed.

However, in the event the petitioner surrenders and prays for regular bail before the Court below, the same shall be considered on its own merits without being prejudiced by the present order of rejection.

(Ahsanuddin Amanullah, J.)

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