

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48779 of 2014

Arising Out of PS.Case No. -202 Year- 2012 Thana -SARAI District- VAISHALI(HAJIPUR)

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1. Devendra Rana Son of Bhagandeo Rana Resident of Village - Turki Bhautalia, P.S. - Meenapur, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 25-06-2015 Heard the Counsel for the petitioner and Mr. Dayal, APP for the State.

The petitioner apprehends his arrest in connection with Sarai P.S. Case No. 202 of 2012 registered under Section 307 and other allied sections of the Indian Penal Code.

As per the prosecution case, when the informant was going to his shop, the accused persons, who were waiting in ambush, suddenly came and surrounded the informant and assaulted him. The specific allegation against the petitioner is that he gave farsa blow on the head of the informant.

Learned counsel for the petitioner submits that the parties are related to each other. There is a counter version lodged by one of the co-accused of the present case in which some of the accused persons received injuries on head and other parts of the body. It is

also submitted that two other accused persons of the present case who are alleged to have placed fire arm on the temple of the informant has since been released on anticipatory bail by the Court below. Petitioner has no criminal antecedent.

Learned APP, opposing the prayer, points out that the doctor found corresponding injury on the head of the informant which was opined to be grievous in nature.

Considering the aforesaid, I am satisfied that it is not a fit case where privilege of anticipatory bail can be extended to the petitioner. Prayer is accordingly rejected.

In case the petitioner surrenders and prays for regular bail, the same shall be considered on its own merit uninfluenced by the present order.

(Kishore Kumar Mandal, J)

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