

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42142 of 2015

Arising Out of PS.Case No. -46 Year- 2015 Thana -ANDER District- SIWAN

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Asif Khan S/o Khursid Khan R/o Vill-Usari Bujurg ,P.S M.H Nagar,
District Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Binod Kumar No. 2(App)

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 13-10-2015 Heard the learned counsel for the petitioner. Heard the
learned A.P.P. also.

The petitioner, Asif Khan, apprehends his arrest in Andar
(M.H. Nagar) P.S. Case No.46 of 2015 registered for the offence
punishable under Sections 341, 323, 324, 307, 379, 326/34 IPC.

The learned counsel for the petitioner submitted that there is
allegation of assault by kudal against the accused persons. The
other two co-accused persons, namely, Saira Bano, the mother of
the petitioner granted anticipatory bail by this Court whereas the
father of the petitioner, namely, Khurshi Khan, has been directed
to surrender before the Court below and apply for regular bail.

The learned counsel for the informant submitted that the co-

accused, Saira Bano, has been granted anticipatory bail considering the fact that she is lady. According to the learned counsel, there are repeated blows causing grievous injuries on the head of the informant and, therefore, it is not a case for the grant of anticipatory bail.

In view of the submission of the learned counsel for the petitioner himself that the father of this petitioner has been directed by this Court in Cr. Misc. No.40950 of 2015 to surrender before the Court below and apply for regular bail, the petitioner is also directed to surrender before the Court below and apply for regular bail. If regular bail application is filed, the Court below shall consider it on its own merit without being influence by this order of this Court.

With this observation, this anticipatory bail application is hereby rejected.

(Mungeshwar Sahoo, J)

Sanjeev/-

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