

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46914 of 2014

Arising Out of PS.Case No. -302 Year- 2013 Thana -FORBESGANJ District- ARRARIA

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Chhutaru S/o Late Khuser Resident of Village Purwari Jhirwa, Police
Station Forbesganj (Simraha), District Araria.

... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate.

For the Opposite Party/s : Mr. Madhuranand Jha (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 23-04-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation agisnt the petitioner under Sections 147, 148, 149, 341, 323, 379, 307 and 504 of the Indian Penal Code and that the learned counsel for the petitioner has submitted that there is no specific allegation of overt act against the petitioner rather it was against accused Zaved and that Zaved has been granted anticipatory bail by committing an error of record that the specific allegation of assault on the head of the informant was against the petitioner, this Court deem it expedient in the ends of justice to direct the District & Sessions Judge, Araria to reconsider the prayer for anticipatory bail of the petitioner and in the process, if he finds that such direct allegation of assault on the head of the informant was against Zaved and not against the petitioner, the court below shall grant anticipatory bail

to the petitioner, but then cancel the anticipatory bail of Zaved.

This exercise, however, must be completed by the District & Sessions Judge within a period of two weeks from the date of receipt of a copy of this order.

(Mihir Kumar Jha, J)

Sujit/-

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