

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16317 of 2015

Arising Out of PS.Case No. -17 Year- 2015 Thana -BATHNAHA District- SITAMARHI

- =====
1. Prabhu Prasad @ Prabhu Narayan Son of Late Suraj Prasad
2. Raushan Kumar Son of Shivjee Prasad Both resident of Village- Maivi,
P.s- Bathnaha, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

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

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CORAM: HONOURABLE SHRI JUSTICE DHARNIDHAR JHA
ORAL ORDER

3 25-06-2015 Petitioner No.2 Raushan Kumar, as per submission of Shri Virendra Kumar, learned counsel appearing on behalf of the petitioners, has been arrested. Accordingly, his prayer for anticipatory bail has become infructuous.

Heard both sides.

The learned Sessions Judge, Sitamarhi in ABP No.323 of 2015 while passing the order, has pointed out the allegations which appear against the petitioner no.1 Prabhu Prasad @ Prabhu Narayan and has further noted down the injuries which appeared on the person of the injured in paragraph-4 of the rejection order.

Submission is that the petitioner Prabhu Prasad along with Chandan Kumar is said to have given blows with iron rod over the injured but there was only one injury on the occipital region of

scalp, the other two being on left cheek and back. Submission further is that this petitioner could not be said to be the author of the injuries.

It is very difficult at this stage to uphold the submission of the learned counsel for the petitioners. Moreover, the Court finds that the petitioner has approached this Court in utter disregard to the direction issued to him by the learned Sessions Judge to surrender and pray for regular bail which was to be considered by the learned Magistrate without being prejudiced on its own merits.

Considering the facts and the injuries, the Court is not inclined to admit the petitioner no.1 Prabhu Prasad @ Prabhu Narayan on anticipatory bail. Let him abide by the direction of the learned Sessions Judge, Sitamarhi.

With the above observation, this petition stands disposed of.

(Dharnidhar Jha, J)

B.Kr./-Anjani.

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