

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42426 of 2015

Arising Out of PS.Case No. -38 Year- 2015 Thana -SARE District- NALANDA (BIHARSHARIFF)

Vijay Paswan, son of Raghunandan Paswan, resident of village-
Jhamatapar, P.S.- Sare, District- Nalanda

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Sushant Praveer, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 12-10-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Sare P.S. Case No. 38 of 2015 registered under Sections
147, 148, 149, 341, 323, 307, 337, 504 of the Indian Penal Code
and 27 of the Arms Act.

It is contended that there is a case and counter case.
It has further been contended that the allegations made in the
FIR suffer from inherent defects and are not corroborated by the
injury report which of its own prove the case false and
fabricated.

Learned counsel for the State has opposed the prayer for pre-arrest bail.

Regard being had to the injuries sustained by the members of the prosecution party as contained in Annexure-3 to the present application, I am not inclined to grant anticipatory bail. Accordingly, the application filed under Section 438 Cr. P.C. is rejected.

In case the petitioner surrenders and seeks bail, the same shall be considered on its own merit without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J.)

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