

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30930 of 2014**

Arising Out of PS.Case No. -29 Year- 2012 Thana -KANHAULI District- SITAMARHI

=====

Kumar Prem Prasun Son of Dineshwar Chaudhary resident of village-  
Govindpur, P.S.- Fatuha, District- Patna

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

=====

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR**  
**MISHRA**  
ORAL ORDER

2      20-01-2015                                      Heard learned counsel for the petitioner and  
  
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection  
with Kanhauli P.S. Case No. 29 of 2012 registered under Sections  
323, 504 and 354/34 of the I.P.C. pending in the Court of Judicial  
Magistrate, 1<sup>st</sup> Class, Sitamarhi.

Learned counsel appearing on behalf of the  
petitioner submits that after investigation, the Police has submitted  
the charge-sheet on 31.07.2013 under Sections 323 and 504/34 of  
the I.P.C. only and not under section 354 of the I.P.C. which is  
non-bailable.

Admittedly, the charge-sheet has been submitted  
against the petitioner for the offence under Sections 323 and 504  
of the I.P.C. which is bailable. As such, I am not inclined to allow

the prayer of the petitioner. Accordingly, prayer of the petitioner for anticipatory bail is rejected.

However, petitioner is directed to surrender in the Court of Judicial Magistrate, 1<sup>st</sup> Class, Sitamarhi in connection with Kanhauli P.S. Case No. 29 of 2012 and pray for regular bail, which shall be considered within four weeks without being prejudiced by the present order.

**(Rajendra Kumar Mishra, J.)**

Shail/-

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