

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22630 of 2015

Arising Out of PS.Case No. -700 Year- 2012 Thana -SAHARSA District- SAHARSA

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Abhishek @ Abhished Kumar @ Abhishek Kumar Jha Son of Narayan Jha
Resident of behind R.M. College, Ward No. 32, Police Station Saharsa,
District Saharsa.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Satish Kumar Singh, Advocate.

For the Opposite Party : Mr. L.K.Sharma (APP)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 16-09-2015 Heard learned counsel for the petitioner as well as

learned counsel for the State.

In this application for anticipatory bail the petitioner
apprehends his arrest for the offences punishable under sections
341, 323, 379, 324, 307 and 34 of the I.P.C.

Allegedly, two boys took away mobile and purse of
the informant and thereafter the informant after taking mobile
from another boy called Sonu and then Sanjay Kumar Mandal and
other boys came and chased the two miscreants and caught one
boy having fair complexion but his companion inflicted knife
blow to Sanjay resulting the miscreants were freed and fled away.
Thereafter, the miscreants tried to enter into the house of Narayan
Jha but his wife advised to go at another place then they entered

into the boundary of R.M. College and succeeded in fleeing away and after enquiry the informant came to know that the boy having fair complexion was Abhishek who is the son of Narayan Jha.

Submission is of false implication and that only on suspicion the petitioner has been named. There is no eye witness who has seen and identified the petitioner and without any cogent material the petitioner is being searched for his arrest. The injury caused is also simple and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that the petitioner is named in the F.I.R. and the informant after enquiry has learnt his name.

In the facts and circumstances as stated above, finding it not a fit case for pre-arrest bail, prayer for pre-arrest bail of the petitioner stands rejected in connection with Saharsa Sadar P.S. Case No. 700 of 2012 pending in the court of C.J.M. Saharsa.

However, in case and if so advised the petitioner surrenders and seeks regular bail then his prayer for regular bail shall be considered on the same day without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J)

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