

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37133 of 2015

Arising Out of PS.Case No. -27 Year- 2015 Thana -BHAGWAN BAZAR District- SARAN

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DHARMENDRA KHARWAR @DHARMENDRA KUMAR S/o Lalu
Kahar resident of Mohalla Fidar Bazar, P.S. District- Saran
at Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Ms. Rajani Kumari, Adv.

For the Opposite Party/s : Mr. S.M.Rahman(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 05-11-2015 Heard both sides.

The petitioner apprehends his arrest in Bhagwan Bazar
P.S. Case No. 27/2015, registered for the offences punishable
under Section 307 and other Sections of the Indian Penal Code.

The informant alleged that two persons came on his
auto and got down and on demand of fare, both the accused
persons assaulted the informant. Thereafter, one of the accused
persons assaulted the cleaner of the auto with dagger on his cheek
and other parts of the body. The informant identified one of the
accused persons as Dharmendra Kumar.

Learned counsel for the petitioner submits that the
informant inserted the name of the petitioner. Later on, as the

brother of the petitioner is accused in another case in which Mithilesh Kumar Singh is Investigating Officer. Mithilesh Singh is also an Investigating Officer in the present case and that is why the petitioner has falsely been implicated in this case.

It appears that the informant has very categorically made allegation that the petitioner did not give auto fare and also assaulted the cleaner of the auto and the informant with dagger.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail and his prayer shall be considered on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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