

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35414 of 2015

Arising Out of PS.Case No. -30 Year- 2012 Thana -KARJA District- MUZAFFARPUR

Rajesh Sahani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Iftexhar Mahmood, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 21-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 341, 324, 307, 380, 452, 504 and 34 of the Indian Penal Code, subsequently, 302 IPC was also added.

It is alleged that all the accused persons assaulted one Shankar Sah, Shivjee Sah and the informant with 'lathi', 'danda' and 'farsa'. Subsequently, Shankar Sah succumbed to the injuries.

It is submitted by learned counsel for the petitioner that accusation of assault is omnibus and general. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent. Moreover, similarly situated co-

accused has been granted regular bail by a co-ordinate bench of this court vide Criminal Miscellaneous No.34872 of 2012.

The aforesaid facts constitute ground for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of the petitioner keeping in view of the fact that similarly situated co-accused has been granted regular bail, if the petitioner surrenders within a period of six weeks in connection with Karja P.S. Case No.30 of 2012, pending before the learned Additional Sessions Judge-IV, Muzaffarpur.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

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