

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37666 of 2015

Arising Out of PS.Case No. -223 Year- 2015 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

Ashok Rajak Son of Late Rohin Rajak Resident of Mohalla - Burahnath,
Police Station - Adampur, District - Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Md. Najmul Hodda

For the Opposite Party/s : Mrs. Anita Kumari (APP)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 05-11-2015 Heard both sides.

The petitioner apprehends his arrest in a case under Sections 376, 379 and 504 of the Indian Penal Code. Later on, Section 302 of the Indian Penal Code was added.

The informant, son of the deceased, alleged that his father was working as a watchman and while he was on duty, the Manager, Mukesh Jha, and two staff, namely, Ashok Rajak and another assaulted his father and the Manager got his father admitted in Life Line Hospital from where he was referred to Bhagalpur Medical College and Hospital. Learned counsel for the petitioner submits that the petitioner is, of course, staff of the hotel but he himself is a handicap.

It appears that there is very specific allegation that the petitioner and two others assaulted the deceased Upendra

Poddar with stick causing injuries on different parts of his body and consequently Upendra Poddar died.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Kotwali P.S. Case No. 223/2015. Accordingly, the same is rejected.

The petitioner, if so advised, may surrender in the court below and make prayer for regular bail. The court below shall consider the prayer for regular bail of the petitioner without being prejudiced from this order.

(Prabhat Kumar Jha, J)

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