

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12203 of 2015

Arising Out of PS.Case No. -292 Year- 2014 Thana -BRAHMPUR District- BUXAR

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1. Manoj Yadav Son of Baij Nath Yadav Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy

For the Opposite Party/s : Mr. Ajay Kumar-I(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 02-04-2015 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Brahampur P.S. Case No. 292 of 2014 registered for the offences punishable under Sections 147, 148, 149, 341, 337, 323, 354, 379, 504 of the Indian Penal Code.

Although, petitioner is named in the first information report but no specific allegation of assault has been levelled against him and it is only stated that he removed bangles of the informant. It would appear from perusal of the impugned order that one co-accused has already been granted privilege of regular bail by the learned Additional Sessions Judge-V, Buxar. Furthermore, it would appear that two persons sustained grievous injury in the alleged occurrence.

Considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to grant the privilege of anticipatory bail to the petitioner and accordingly, his prayer for anticipatory bail in connection with Brahampur P.S. Case No. 292 of 2014 pending in the court of Chief Judicial Magistrate, Buxar stands rejected.

However, if petitioner surrenders before the concerned court within four weeks from today and seeks regular bail, the concerned court shall consider the regular bail application of the petitioner on its own merit without being prejudiced by this rejection order, particularly, keeping in mind that one co-accused has already been granted privilege of regular bail by the learned Additional Sessions Judge-V, Buxar and no specific allegation of assault has been levelled against the petitioner.

(Hemant Kumar Srivastava, J)

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