

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15101 of 2015

Arising Out of PS.Case No. -227 Year- 2014 Thana -BUXAR MUFFSIL District- BUXAR

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Mahesh Ram Son of Raj Kishore Ram resident of village - Mahuari, P.S.
Buxar (M), District - Buxar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr. T.N.Thakur (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 14-05-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections
147/148/149/341/323/324/337/448/307/302/504/506 of the Indian
Penal Code.

It is alleged that while the father and brother of the
informant were sitting at their door, the co-accused Dharmendra
Ram, Harendra Ram and Ram Lal Ram came armed with 'danda' and
knife and started abusing. In the meantime, Raj Kishore Ram came
and instigated the accused persons where Ganesh Ram, Deepak
Kumar and Sambhu Ram assaulted the father and the brother of the
informant, when mother of the informant came to rescue she was
also assaulted by lady accused persons. Subsequently, father of the
informant succumbed to the injuries.

It is submitted by learned counsel for the petitioner that
the accusation is omnibus and general and similarly situated co-

accused Umrawati Devi has been granted anticipatory bail vide Criminal Miscellaneous No.11614 of 2015. Since there was no accusation against Umrawati Devi of assaulting father of the informant, who succumbed to the injuries whereas the accusation of assault to the victim is against the petitioner also, hence, this court is not inclined to grant anticipatory bail to the petitioner.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Buxar (M) P.S. Case No. 227 of 2014, pending before the learned Chief Judicial Magistrate, Buxar keeping in view of the fact that similarly situated co-accused Shambhu Ram has been granted regular bail by a coordinate bench of this court vide Criminal Miscellaneous No. 936 of 2015.

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

(Dinesh Kumar Singh, J)

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