

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27050 of 2015

Arising Out of PS.Case No. -5 Year- 2015 Thana -BELCHAR District-
WESTCHAMPARAN(BETTIAH)

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Sheikh Sohrab @ Sohrab son of Rasul Jan Resident of Village - Purainia
P.S. Balthar, District West Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vinod Gautam
For the Opposite Party : Mr. Pushpa Sinha 2 (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-09-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in Balthar
P.S.Case No.05 of 2015 instituted under Sections 341, 342 and
302/34 of the Indian Penal Code pending in the Court of Shri
Jitesh Kumar, Judicial Magistrate, Ist Class, Bettiah, West
Champaran.

It is alleged by the informant that the accused persons
including this petitioner brutally assaulted his son by means of
lathi and due to which both the legs and hands of his son Nasim
was fractured and thereafter with a view to save themselves they
plied the jeep on the hands and legs of informant's son and they
got fallen down their jeep in a ditch. The informant brought his
son to MJK hospital for treatment where his son died during

course of treatment.

It has been submitted on behalf of the petitioner that it is a case and counter case. There is no specific allegation made against the petitioner. There is no specific injury attributed against the petitioner. General and omnibus allegation has been made against the petitioner.

On behalf of the State, it has been submitted that the petitioner is named in the FIR and has actively participated in the occurrence.

Considering the aforesaid facts, I am not inclined to grant anticipatory bail to the petitioner and the same is rejected.

Any how, if the petitioner surrenders in the court below within a period of four weeks and pray for regular bail, same shall be considered by the court below on its own merit without being prejudiced by this order of rejection. Preferably it may be disposed of on the same day.

(Sudhir Singh, J)

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