

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6967 of 2016

Arising Out of PS.Case No. -133 Year- 2015 Thana -NIMCHAKBATHANI District- GAYA

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Babloo Yadav Son of Naresh Yadav, Resident of Village - Sekhpura, P.S. -
Neemchak Bathani, District - Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Adv.

For the Opposite Party/s : Mr. Satyendra Nr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-02-2016 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, 109 and
302 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that when the informant
proceeded with his cousin brother Saddam Khan then the
petitioner and his associates armed with weapon surrounded the
informant and his brother and blamed that Saddam Khan is
responsible for the arrest of the son of Ekram Hassan when on the
order of Ekram Hassam, the petitioner assaulted Saddam Khan on
the head with iron rod thereafter other accused persons assaulted
Saddam Khan with blunt part of the gun, subsequently Saddam
Khan succumbed to the injuries.

It is submitted by learned counsel for the petitioners that the accusation of making assault is against all the accused persons.

Considering the nature of accusation, which appears from the impugned order, is being corroborated by the medical opinion, 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 he surrenders within a period of six weeks in connection with Neemchak Bathani P.S. Case No. 133 of 2015 pending in the court of learned ACJM, Gaya.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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