

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43135 of 2016

Arising Out of PS.Case No. -47 Year- 2016 Thana -CHAND District- BHABHUA (KAIMUR)

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Samiuddin Ansari, son of Samsuddin Ansari, Resident of village -
Karwandiya, Police Station Chand, District - Kaimur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pathak

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 22-10-2016

Heard Sri Rajesh Kumar Pathak, learned counsel

for the petitioner, Sri Sunil Kumar Pandey, learned Addl. Public
Prosecutor and Sri Navin Kumar Jha, learned counsel, who has
voluntarily appeared on behalf of the informant.

The petitioner, who is in custody since 15.05.2016
in Chand P.S. Case No.47 of 2016, G.R. No.1207 of 2016
registered for the offence punishable under Section 302/34 of the
Indian Penal Code, has prayed for grant of bail, primarily on the
ground that one of the co-accused Tuntun Ansari has already been
granted bail by a Bench of this Court, presided over by Hon'ble
the Chief Justice. He submits that the petitioner's case is almost
similar to the case of co-accused, who has already been granted
bail, whereas learned Addl. Public Prosecutor as well as learned

counsel for the informant, opposing the prayer for bail of the petitioner, submit that on perusal of the F.I.R. itself, it is evident that first assault was given by the petitioner and, as such, the petitioner's case may not be considered as similar to the case of the co-accused.

After perusing the material on record, particularly the F.I.R. I am not inclined to extend the privilege of bail to the petitioner. The petition stands dismissed.

(Rakesh Kumar, J)

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