

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29504 of 2016

Arising Out of PS.Case No. -84 Year- 2016 Thana -PARWATTA District- KHAGARIA

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1. Sanjay Mandal Son of Late Ganesh Mandal Resident of Village Kolwara,
P.S Maraiya (Parbatta), District Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Mr. M. Dayal

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 18-10-2016 Heard learned counsel for the petitioner and Mr.

Dayal APP for the State.

Petitioner seeks anticipatory bail in connection
with Parbatta (Maraiya) P.S. Case No. 84/16 registered under
Sections 302/34 of the IPC.

The son of the informant was called to come to a
particular place where, it is alleged, that he was assaulted
mercilessly by the accused persons cited in the First Information
Report. The petitioner is one of them. The informant went to the
hospital and the incident was narrated by the victim who later
succumbed of the injuries sustained.

It is submitted that none of the independent eye-
witness in course of investigation has named the petitioner as one

of the culprits. The case was earlier lodged against the prosecution side by one of the co-accuseds under Section 379 of the IPC. In retaliation thereof, the present case has been lodged.

Learned APP, on the other hand, opposed the prayer and submitted that the victim himself disclosed the name of the petitioner as one of the assailants. Subsequently, he died. The police upon completion of investigation, found sufficient evidence against the petitioner and submitted charge-sheet.

Considering the seriousness of the allegations and other materials reflected from the records, I am not persuaded to extend the petitioner the privilege of anticipatory bail. Prayer is, accordingly, rejected.

(Kishore Kumar Mandal, J)

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