

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46669 of 2016

Arising Out of PS.Case No. -79 Year- 2016 Thana -HARIJAN PS. District- NALANDA
(BIHARSHARIFF)

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1. Pankaj Kumar Son of Arvind Kumar Sinha, Resident of Vill-Daya
Nagar, P.S- Noorsarai, District- Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binoy Kumar, Advocate

For the Opposite Party/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 16-11-2016 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections
341/342/323/504/406/307/354B/34 of the Indian Penal Code and
Sections 3(i)(r)(s)/w(i) of the SC/ST Act.

The informant asked for his money advanced to the
named accused persons and for that dispute an occurrence of
assault allegedly took place wherein the petitioner allegedly
assaulted with rod caused injury at the head of the informant. The
doctor has found lacerated wound at the parietal region.

Submission is that there is no allegation of repetition
of blow, hence, intention to commit murder cannot be gathered.

Considering the facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner in connection with Biharsharif SC/ST P.S. Case No.79 of 2016, pending in the Court of learned Special Judge, SC/ST Act (Additional Sessions Judge-I), Biharsharif, Nalanda. However, in the event of surrender of the petitioner, the Court-below shall consider the prayer for regular bail of the petitioner without being prejudiced by the order of this Court.

Mkr./-

(Birendra Kumar, J)

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