

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11329 of 2016

Arising Out of PS.Case No. -114 Year- 2015 Thana -MADHEPUR District- MADHUBANI

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Shambhu Sah @ Shambhu Kr. Sah Son of Late Kailu Sah, Resident of
Village- Kharik Bheja, P.S. Bheja, District- Madhubani

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Musowir, Advocate

For the Opposite Party/s : Mr. Sharda Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-05-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in
connection with Madhepur P.S. Case No.114 of 2015 for the
offence instituted under Section 326(A)/34 of the Indian Penal
Code.

The prosecution case, in brief, is that on 7.12.2015 at
about 7.45 P.M. when the informant reached on the ground of
pratima picture place where he opened a tuition centre and the
petitioner also opened a bicycle stored in the campus of said
cinema hall, the petitioner threw acid on his face by which he
sustained injury and began to cry, and thereafter the petitioner fled
away.

It is submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. He has falsely been implicated in the present case due to oblique motive. The nature of injury is said to be simple.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. and the main allegation is against him.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected. Anyhow, if the petitioner surrenders in the court below, same shall be considered on its own merit without being prejudiced by this order taking into account the nature of injury is simple.

(Sudhir Singh, J)

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