

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28977 of 2016

Arising Out of PS.Case No. -148 Year- 2016 Thana -SUPAUL District- SUPAUL

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Shyamdev Kamat son of Rameshwar Kamat, resident of Mohalla- Nagar
Parishad, Ward No.-24, Police Station- Supaul, District-Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

2 26-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Supaul P.S. Case No.148 of 2016 registered under Sections 341,
323, 324, 307, 379 and 504/34 of the Indian Penal Code.

It is submitted that second part of the story wherein
allegation has been made that the petitioner had assaulted Shivram
Kamat and Balram Kamat with *Dabia* has not been supported by
the two injured and hence, the story propounded by the informant
is false and fabricated.

Learned counsel for the State has opposed the
application for grant of pre-arrest bail to the petitioner. He has
submitted that the injury report of Balram Kamat and Shivram

Kamat would indicate that each of them had sustained at least one grievous injury and first part of the allegation is that all the persons named in the FIR including the petitioner had collectively assaulted the injured persons which find due corroboration from the injury report.

Regard being had to the facts and circumstances of the case, I am not inclined to grant pre-arrest bail to the petitioner.

Accordingly, the application preferred under Section 438 of the Code of Criminal Procedure is rejected.

In case the petitioner surrenders and seeks bail, the same shall be considered on its own merits without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J)

Md.S./-

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