

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39131 of 2016

Arising Out of PS.Case No. -74 Year- 2016 Thana -MANIHARI District- KATIHAR

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Md. Izrail @ Israil, son of Sk. Malur, resident of village – Nawabganj, P.S. Manihari, District Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Musowir

For the Opposite Party/s : Mr. Sri Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 21-09-2016 Heard Mr. Md. Musowir, learned counsel for the petitioner and Sri Parmanand Prasad, learned Additional Public Prosecutor.

The sole petitioner, who has been named as accused with specific accusation in the F.I.R. has approached this court with a prayer to grant anticipatory bail in Manihari P.S. Case No. 74 of 2016 registered for the offence under Section 341, 323, 324, 504, 354/ 34 and 354(B) of the Indian Penal Code in the event of arrest or surrender.

It was submitted by learned counsel for the petitioner that in land dispute false case has been instituted. The petitioner is the son- in -law of one of the accused Md. Mukhtar. Accordingly, a prayer has been made for grant of anticipatory bail.

However, learned A.P.P. opposing the prayer submits that in the F.I.R. there is specific accusation against the petitioner regarding commission of offence under Section 354 and 354(B) of the Indian Penal Code.

Considering the fact that there is specific accusation against the petitioner, there is no reason to extend the privilege of anticipatory bail.

The petitions stands dismissed.

(Rakesh Kumar, J)

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