

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38890 of 2016**

Arising Out of PS.Case No. -386 Year- 2011 Thana -KATIHAR District- KATIHAR

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Prince Kumar @ Madhweshwar @ Prince, Son of Late Manoj Kumar,  
resident of Village and P.O.- Sarhachia, P.S.- Aurai, District- Muzaffarpur.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

**ORAL ORDER**

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3      13-12-2016              Heard learned counsel for the petitioner and the learned  
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Katihar Town P.S. Case No.386 of 2011 registered under Sections 448, 323, 324, 504 and 307/34 of the Indian Penal Code besides Section 27 of the Arms Act, pending in the court of the Chief Judicial Magistrate, Katihar.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is not named in the F.I.R. as it would appear from the fardbeyan of the informant Ranjeet Prasad Singh that four persons entered his house, out of whom the informant identified only Rajesh Kumar Singh, who used to talk with another



accused denoting his name as Hira. As such, the petitioner has falsely been implicated in this case, later on, in course of investigation.

Learned A.P.P. for the State opposed the prayer of the petitioner for grant of anticipatory bail and submits that, in course of investigation, the name of the petitioner has been disclosed by the co-accused Bittu Singh, who was identified by the informant in T.I. Parade, being his associate in the commission of the alleged offence.

Having considered the facts and the circumstances of the case and the nature of allegation, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within six weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

**(Rajendra Kumar Mishra, J)**

**P.S./-**

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