

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16394 of 2016

Arising Out of PS.Case No. -789 Year- 2014 Thana -SAHARSA District- SAHARSA

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Bhanu Mishra Son of Late Ashok Kumar Mishra Resident of Village -
Gangajala, Saharsa, P.S.- Saharsa, District - Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ranjana Pathak, Advocate.

For the Opposite Party/s : Mr. Shyam Bihari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 09-05-2016

Heard both sides.

The petitioner apprehends his arrest in a case under
Sections 341, 323, 324, 307, 379, 504/34 of the Indian Penal
Code.

The informant made allegation that Kundan Singh
and other accused persons intercepted him while he was returning
to his house and they all assaulted the informant. Kundan Singh is
alleged to have assaulted the informant with iron rod on his head.
It is submitted that Kundan Singh has already been granted regular
bail.

Considering the nature of allegation that the
petitioner and other accused persons assaulted the informant and
the informant got grievous injury, I am not inclined to enlarge the
petitioner on anticipatory bail in Saharsa Sadar P.S. Case No.

789/2014. Accordingly, the same is rejected.

The petitioner, if so advised, may surrender in the court below and make prayer for regular bail. The court below shall consider the prayer for regular bail of the petitioner without being prejudiced by this order and taking into consideration that Kundan Singh, who is alleged to have assaulted the informant with iron rod on his head, has already been enlarged on regular bail by this Court vide order dated 15.09.2015 passed in Cr. Misc. No. 18373/2015 and dispose of the bail petition of the petitioner preferable on the same day.

(Prabhat Kumar Jha, J)

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