

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.809 of 2016

Arising Out of PS.Case No. -546 Year- 2015 Thana -LAHERIASARAI District- DARBHANGA

Shaukat Quraishi S/O Asghar Quraishi @ Ali Asgar Quaraishi, R/o
Mohjalla- Raham Khan, P.S.- Laheriasarai, District- Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad

For the Opposite Party/s : Mr. H.A.Khan, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA

ORAL ORDER

4 18-02-2016

Heard.

The petitioner apprehends his arrest in a criminal prosecution registered under Sections 307/34 and some other allied offences under the Indian Penal Code.

Taking into consideration the fact that the petitioner is specifically named in the F.I.R vide Annexure-1 as an accused and he is alleged to have assaulted the informant by iron rod on his head, as a result of which he sustained grievous injuries on his parietal region, which is apparent from the injury report (Annexure-2), this Court is not inclined to accede to the prayer made on behalf of the petitioner for grant of anticipatory bail. Accordingly, his prayer for anticipatory bail in connection with Laheriasarai P.S. Case No. 546 of 2015 pending in the Court of learned Chief Judicial Magistrate, Darbhanga, is hereby rejected.

However, if the petitioner surrenders in the court below within a period of four weeks from today and applies for regular bail, then the same shall be considered and decided on its own merit without being prejudiced by the present order.

The petitioner shall be at liberty to raise all the issues of facts and law, which may be available to him, before the learned court below for the purposes of grant of regular bail.

(Birendra Prasad Verma, J)

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