

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28831 of 2016

Arising Out of PS.Case No. -47 Year- 2016 Thana -PAROO District- MUZAFFARPUR

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Vikash Kumar Singh son of Ranjeet Singh, resident of village- Gyaspur,
P.S- Paroo, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 25-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Paroo P.S. Case No.47 of 2016 registered under Sections 147, 148,
149, 341, 323, 324, 326, 447, 307, 302, 504 and 506 of the Indian
Penal Code.

It is submitted by the learned counsel for the petitioner
that though there is general and omnibus allegation that all the
accused persons named in the FIR including the petitioner
mercilessly assaulted the husband of the informant with iron rod,
Lathi and *Danda*, in course of investigation witnesses have stated
that the petitioner was not present at the time of occurrence. It is
also submitted that the specific allegation of causing injury on the

head of the deceased is against co-accused Raju Rai and the injury caused by him proved fatal. The FIR has also delayed by two days.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioner. He has submitted that there is specific allegation that in absence of wife of the deceased who is informant of the case, the accused persons including the petitioner assaulted the informant's husband Yogendra Rai as a result of which he died on the spot.

Regard being had to be 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.

(Ashwani Kumar Singh, J)

Md.S./-

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