

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 28336 of 2016

Arising Out of PS.Case No. -504 Year- 2016 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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Keshaw Mali @ Keshaw Bhagat @ Kesho Bhagat, S/o Late Nanhaku Bhagat, R/o Mohalla – Kuraich, Ward No. 6, P.S. Sasaram (T), District – Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Y.C.Verma, Sr.Adv.

Mr. Rajani Kant Singh

For the Opposite Party/s : Mr. Sri Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 26-07-2016 Heard Sri Y.C.Verma, learned senior counsel, who was assisted by Sri Rajani Kant Singh, learned counsel for the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehends his arrest in Sasaram Town P.S. Case No. 504 of 2016 registered for the offence under Sections 147, 149, 341, 323, 354(B), 379, 307 and 504 of the Indian Penal Code, has prayed for grant of anticipatory bail.

It was submitted by learned senior counsel for the petitioner that on perusal of the F.I.R., Section 354(B) of the I.P.C. is not made out. By way of referring to definition of this provision, he highlights that there is no case for offence under Section 354(B) of the I.P.C. He has further argued that during investigation, witnesses have not made any allegation of overt act

of petitioner. He submits that some of the witnesses have said that petitioner was only present at the time of occurrence and he had committed no offence. On aforesaid ground, he has made a prayer for grant of anticipatory bail.

On going through the F.I.R., it is evident that in a marriage ceremony, about 20-25 persons abruptly arrived and started assaulting and misbehaving with the ladies and in the said occurrence, the informant could only identified the petitioner and one another accused person.

On going through the F.I.R., I do not find any ground for extending the privilege of anticipatory bail.

The petition stands dismissed.

(Rakesh Kumar, J.)

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