

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16391 of 2016

Arising Out of PS.Case No. -74 Year- 2013 Thana -SINGHIYA District- SAMASTIPUR

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Md. Ejajul @ Md. Ejajul Maulana, S/o Late Majlum R/o Vill- Golia, P.S.-
Singhia, Distt- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Dr. Abdus Shakoor, Advocate.

For the Opposite Party/s : Mr. Rajesh Kumar, 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 147, 148, 149, 447, 341, 342, 323, 326, 307 and 504 of the Indian Penal Code. Later on, Section 302 of the Indian Penal Code was added.

The informant named the petitioner along with other seven accused persons and alleged that they all assaulted the informant, his son, son-in-law and Samadhi. The son-in-law of the informant died during the course of treatment. It is submitted that the petitioner is alleged to have assaulted the Samadhi of the informant, namely, Md. Sajjal, S/o Md. Abdul, on his left hand's fingers. The doctor found three injuries but the injuries are simple in nature. Similarly situated co-accused Md. Sayeed has been granted anticipatory bail by the Hon'ble Supreme Court of India.

The police, after investigation, submitted final form but cognizance was taken on protest against the petitioner.

It appears that the prayer for anticipatory bail of the petitioner was earlier rejected vide order dated 16.10.2014 passed in Cr. Misc. No. 22891/2014 and the petitioner even then neither surrendered nor moved before the Hon'ble Supreme Court of India for anticipatory bail. He moved for anticipatory bail only after 1½ years.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Singhia P.S. Case No. 74 of 2013. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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