

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26499 of 2016

Arising Out of PS.Case No. -21 Year- 2016 Thana -SARMERA District- NALANDA
(BIHARSHARIFF)

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Tuntun Ram @ Tuntun Sama, son of Baleshwar Prasad, resident of Mohalla Lalbagh, Sheikhpura P.S. and district Sheikhpura at present the son -in- law Bonu Ram resident of village Gebachak, p.S. Sarmera District Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Sri Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 30-06-2016 Heard Sri Binit Kumar, learned counsel, who was assisted by Sri Pankaj Kumar, learned counsel for the petitioner and Sri Anuj Kumar Srivastava, learned A.P.P.

The sole petitioner apprehending his arrest in connection with Sarmera P.S. Case No. 21 of 2016 registered for the offence under section 302/34 of the Indian Penal Code, has prayed for grant of anticipatory bail.

Learned counsel for the petitioner admits that though petitioner was named as accused by way of mentioning as son- in- law of Bonu Ram, there is no material to suggest that petitioner had intentionally assaulted the deceased. He further submits that there is no injury report and on this very ground he has made a prayer for grant of anticipatory bail.

Learned A.P.P. while opposing the prayer of anticipatory bail submits that in the F.I.R. there is accusation that petitioner with one another assaulted the husband of the informant thereafter he fell down and subsequently died.

In view of allegation made in the F.I.R., there is no reason to extend the privilege of anticipatory bail.

The petition stands dismissed.

(Rakesh Kumar, J)

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