

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3699 of 2017

Arising Out of PS.Case No. -200 Year- 2016 Thana -BARH District- PATNA

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Dheeraj Kumar Son of Satyanarayan Mahto Resident of Village- Bhatgaon,
P.S. Barh, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap

For the Opposite Party/s : Mr. Sri Narendra Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 09-03-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Barh P.S. Case No. 200 of 2016 for the offences punishable under sections 342, 324, 307 and 34 of the I.P.C.

Allegedly, the petitioner and Rajeev Kumar went in the shop of the informant to recharge the mobile and in the meantime both took away mobile of Rs. 20,000/- and when it was protested both stabbed the knife in the stomach of the informant.

Submission is that the informant has not specifically stated as to who stabbed him, but two witnesses claiming themselves as eye witnesses have stated that the petitioner had



stabbed the knife and on this ground prayer for pre-arrest bail of the petitioner was rejected, whereas, co-accused Rajeev Kumar has been allowed pre-arrest bail by the learned Sessions Judge himself, the petitioner has got no criminal antecedent and as such he deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that one injury has been found on the person of the informant in his left lumber region caused by sharp instrument and the nature of the injury is simple.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner which finds support during investigation, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of A.C.J.M. Barh, Patna.

(Jitendra Mohan Sharma, J)

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