

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24061 of 2017

Arising Out of PS.Case No. -256 Year- 2016 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

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Pankaj Kumar @ Niraj Kumar, son of Mahesh Prasad, Resident of Village
Dharampur, P.S. Hilsa, Dist. Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 01-07-2017 Heard learned counsel for the petitioner and counsel
for the State.

In the present case, the petitioner is apprehending his arrest in connection with Rahui P.S. Case No. 256 of 2016 for offence under Sections 341, 323, 420, 406, 120(B) and 34 of the Indian Penal Code.

As per prosecution case, the Informant is a driver of a truck, while he was moving from Ichhapur (A.P.) to Birganj (Nepal), one Nitish Kumar boarded on the truck and, later on, he has took up three persons and all the persons started assaulting to the Informant and smelled something to him as a result of which he became unconscious, when he regain his conscience, he lodged the present case. Nitish Kumar was arrested by the police who disclosed the name of the petitioner.



Learned counsel for the petitioner submits that the petitioner and Nitish Kumar are own brother and Nitish Kumar has falsely implicated the petitioner due to land dispute.

The plea, which has been taken by the learned counsel for the petitioner, is completely a weak plea and the same cannot be entertained.

This Court is not inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner, namely, Pankaj Kumar @ Niraj Kumar is rejected.

If the petitioner surrenders before the court below within a period of four weeks from today, the court below will pass an order on the same day without being prejudiced by this order.

(Shivaji Pandey, J)

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