

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20630 of 2017

Arising Out of PS.Case No. -23 Year- 2017 Thana -KATIHAR District- KATIHAR

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Shrawan Kumar Sah, son of Late Ajab Lal Sah, resident of Hridaya Ganj,
Gami Tola, P.S.- Katihar Town, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Musowir

For the Opposite Party/s : Mr. Shailendra Kumar -2

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 07-07-2017 Heard learned counsel for the petitioner, counsel for
the State as also counsel for the Informant.

In this case, the petitioner is apprehending his arrest
in in connection with Katihar Town P.S. Case No. 23 of 2017
registered for offences under sections 147, 149, 341, 323, 324,
307, 452, 379, 504 and 506 of the Indian Penal Code.

It appears that the petitioner and other family
members have assaulted the Informant and their family members.
Annexure-2 annexed in this application shows that the present
petitioner and family members were equally assaulted by the
Informant of this case. The instant case is a case of free fight
between both the parties and both the parties have sustained
injuries which are grievous as well as simple in nature.



Learned counsel for the petitioner submits that both the parties are own brothers and the fight was for the land.

Looking to the entire facts and circumstances of the case, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner, namely, Shrawan Kumar Sah is rejected.

However, if the petitioner would surrender before the court below within a period of four weeks from today, the court below will consider the prayer for bail and will pass an order in accordance with law on the same day itself without being prejudiced by the present order of this Court.

(Shivaji Pandey, J)

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