

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35441 of 2017

Arising Out of PS.Case No. -135 Year- 2017 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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Santosh Kumar, S/o Nagina Singh, resident of Village- Madarna, P.S.-
Vaishali, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Chandra Jha

For the Opposite Party/s : Mr. Nand Kishore Pd

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

2 16-08-2017 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 Vaishali P.S. Case No. 135 of 2017 for the offences punishable under sections 323, 324, 341, 342, 379, 504, 427, 353, 509, 384 and 120 (B) of the I.P.C.

Allegedly, the petitioner and other co-accused after breaking the lock of Angan Bari Centre of the informant entered into the Centre and when the informant objected, they started abusing. When the villager Kamaldev Sinha and Dilip Kumar came for intervention this petitioner assaulted Kamaldev Sinha with iron rod on his head causing fracture injury on his nose and further all the accused misbehaved with the informant, torn the



register and took away food articles.

Submission is of false implication and that there is case and counter case, due to the village politics this case has been lodged, the petitioner has been implicated falsely, the petitioner has lodged Vaishali P.S. Case No. 136 of 2017 and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that fracture injury on nose has been found on Kamaldev Sinha and the petitioner is the author of that injury.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, 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 C.J.M. Vaishali at Hazipur.

(Jitendra Mohan Sharma, J)

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