

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54467 of 2016

Arising Out of PS.Case No. -388 Year- 2016 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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Ambuz Shrivastava @ Ambuz Aditya Son of Late Jitendra Prasad Resident
of Mohalla Michel Colony Baswariya, P.S. Bettiah Town, District : West
Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-01-2017

This is an application for grant of anticipatory bail
for offences punishable under Sections 147, 148, 149, 323, 324,
307, 379, 341, 342, 504 and 506 of the Indian Penal Code.

Heard learned counsel for the petitioner.

It has been submitted on behalf of the petitioner that
only allegation against him is that he had caught hold of the
injured and others have assaulted him.

Heard learned A.P.P. also. He has opposed the prayer
for bail stating that first he had caught hold of the injured but
thereafter another accused had stabbed him and when the injured
fell down all the accused persons assaulted him.

Having heard both sides, in view of the fact that



though there is no allegation of stabbing against the petitioner but there is allegation that he had first caught hold of the injured, as such it is not a fit case for grant of anticipatory bail to the petitioner.

However, petitioner may surrender before the court below, i.e., Chief Judicial Magistrate, West Champaran, Bettiah, in connection with Bettiah (M) P. S. Case no. 388 of 2016 and make a prayer for regular bail which will be considered on its own merit without being prejudiced by the order of this Court.

With the aforesaid observation this application is dismissed.

(Vinod Kumar Sinha, J)

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