

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42611 of 2017

Arising Out of PS.Case No. -26 Year- 2017 Thana -DEEPNAGAR District- NALANDA
(BIHARSHARIFF)

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Rakesh Mahto S/o Binda Mahto Resident of Village-Saouya, P.S.-Chandi,
District-Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar No.1, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3. 17-10-2017

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner, in the present, case, is seeking
Anticipatory Bail in connection with Deep Nagar P.S. Case
No. 26/2017 for the offences under Sections 341, 323, 307
and 504 of the Indian Penal Code, pending in the court of
learned Chief Judicial Magistrate, Nalanda.

Learned counsel for the petitioner submits that
in fact the Session Trial in which the petitioner is said to be
an accused, no witness has made any allegations against
him and therefore, he had no reason to get involved in
assault of this informant.

On the other hand, learned Additional Public
Prosecutor submits that in course of investigation other



witnesses have supported the allegations of assault in which the present petitioner has actively participated. The informant happened to be a witness in the said sessions trial and on the date of occurrence he was returning after his deposition in the said case.

Considering the fact that the petitioner is said to be actively involved in the assault and there are injuries on the body of the informant which have been noticed by the learned 7th Additional Sessions Judge, while rejecting the prayer for Anticipatory Bail, this court is not inclined to grant Anticipatory Bail to the petitioner.

Accordingly, prayer for Anticipatory Bail is rejected.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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