

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13630 of 2017

Arising Out of PS.Case No. -65 Year- 2016 Thana -SATHI District-
WESTCHAMPARAN(BETTIAH)

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SARAFARAZ SAI, son of Kari Sai, Resident of Village- Belwa, P.S.-
Sathi, District- West Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Chandra Verma

For the Opposite Party : Mr. Ram Naresh Ray

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

3 16-05-2017 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 Sathi P.S. Case No. 65 of 2016 for the offences punishable under sections 147, 323, 324, 325, 308, 379, 504 and 506 of the I.P.C.

Allegedly, to purchase sweets there was altercation and the petitioner and other co-accused being armed went at the shop of the informant, the petitioner put knife on his neck and gave order to kill him and then other co-accused started assaulting with Danda, Chain and the Hockey Stick resulting he fell down and then the petitioner gave knife blow which was stopped by hand causing injury in the left hand and his left wrist was fractured with the assault made by Danda and Hockey and thereafter the



accused persons took away cash of Rs. 20,000/- from the shop and gold chain.

Submission is of false implication and that no injury caused by the sharp weapon has been found, all the injuries are simple in nature caused by hard and blunt object 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 six injuries have been found on the person of the informant and it was the petitioner who brought other co-accused and got assaulted the informant causing six injuries.

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 Sri S.D. Bharti, the learned Judicial Magistrate, Bettiah, West Champaran.

However, in case and if so advised, the petitioner surrenders and seeks regular bail then his prayer for regular bail shall be considered on its own merits without being prejudiced by this order preferably on the same day.

(Jitendra Mohan Sharma, J)

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