

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32372 of 2017

Arising Out of PS.Case No. -54 Year- 2017 Thana -SILAW District- NALANDA
(BIHARSHARIFF)

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Mithilesh Kumar @ Mithu Son of- Banshi Sao, residence of Village-
Nanand, P.S.- Silao, District- Nalanda. Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey, A.P.P.

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

ORAL ORDER

3 21-08-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Silao P.S. Case No. 54 of 2017, registered for the offences
punishable under Sections 341, 323, 379, 307 and 504/34 of the
Indian Penal Code.

The allegation against the petitioner is that he
assaulted the informant Dharmendra Kumar with brick on his head
with an intention to kill him, resulting bleeding started and he fell
down. The villagers brought him for treatment.

Submission is of false implication and that there is
earlier case lodged by mother of the petitioner wherein the
informant and others are accused. That case is Bihar Sharif Mahila



P.S. Case No. 45 of 2017 dated 14.03.2017. The informant has received injury in altercation and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by learned counsel for the informant opposes the prayer of pre-arrest bail by submitting that the nature of the injury has been found grievous and on the head the injury has been found.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, I am not inclined to grant the privilege of pre-arrest bail to the petitioner and, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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