

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47413 of 2016

Arising Out of PS.Case No. -60 Year- 2016 Thana -BARGANIA District- SITAMARHI

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1. Md. Seraj Son of Sheikh Lal Babu Resident of Village- Bhakurhar, P.S.-
Bairgania, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad

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

3 17-01-2017 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 Bairgania P.S. Case No. 60 of 2016 for the offences punishable under sections 147, 148, 149, 323, 324, 307, 447, 427, 504 and 506 of the I.P.C.

The petitioner and other FIR named accused persons being armed entered into the house of the informant and claimed to kill the informant due to the case lodged by him as the petitioner and other co-accused have prepared video of sister of the informant and have sent on the mobile of brother-in-law.

Submission is of false implication and that in the earlier case the petitioner has been allowed pre-arrest bail vide Cr. Misc. No. 39429 of 2016, there is no specific allegation against



the petitioner, the allegations are general and omnibus in nature and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for bail by submitting that as the informant has lodged case resulting he was assaulted by the petitioner and others and caused injury to the informant and claiming to kill him and further damaged the house articles.

In the facts and circumstances as stated above, considering the allegation that for lodging the case the petitioner and others assaulted the informant, I am not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of C.J.M. Sitamarhi.

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 preferably on the same day without being prejudiced by the order of this Court.

Accordingly, this Criminal Miscellaneous is hereby disposed of.

(Jitendra Mohan Sharma, J)

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