

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13041 of 2017

Arising Out of PS.Case No. -14539 Year- 2014 Thana -BEGUSARAI COMPLAINT CASE District-
BEGUSARAI

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Deepak Sah, S/o Lakshmi Sah, resident of Village-Parihara, P/S-Bakhari,
District-Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar
2. Manti Devi W/o Ramkishun Mahto, Resident of Village-Parihara, P.S.-
Bakhari, District-Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-03-2017 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in

Complaint Case No. 14539C of 2014 instituted for the offence

under Section(s) 304 of the Indian Penal Code.

It is alleged in the written report that co-accused

Bikram Singh and one Constable took away the handicapped son

of the complainant Prakash Kumar on Parihar Police Station and

brutally assaulted. It is alleged that this petitioner also assaulted

the son of the complainant along with two other accused. It is

further alleged that this petitioner along with co-accused Bikram



Singh put the rope around the neck of the son of the complainant and pulled him. The co-accused Bikram Singh also took out Rs. 1600/- from the pocket of the victim boy. The son of the informant was later on left free from the police station at 8:00 P.M. in the night in serious condition. Thereafter, the victim boy was taken to Bakhari Referral Hospital. Later on the victim boy died during treatment.

It has been submitted on behalf of the petitioner that police after initial investigation submitted final form in the case and thereafter cognizance has been taken under Section 304 I.P.C. on the basis of protest petition.

The S.A of the complainant is available on the record along with protest petition which reflects that complainant has levelled specific allegation against this petitioner.

Keeping in view the specific allegation against this petitioner, this Court is not inclined to enlarge the petitioner on anticipatory bail. The prayer of the petitioner for anticipatory bail is rejected.

The petitioner is directed to surrender before the Court below within a period of six weeks from today in connection with Complaint Case No. 14539C of 2014, pending in the Court of Additional Chief Judicial Magistrate-IV, Begusarai



and seek regular bail, which shall be considered and disposed off on its own merit without being prejudiced by the order of this Court.

(Sanjay Priya, J)

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