

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5900 of 2017

Arising Out of PS.Case No. -164 Year- 2016 Thana -DAUDNAGAR District- AURANGABAD

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Vijay Kumar, Son of Late Anant Lal, Resident of Village- Manaunjhia,
P.S.- Nasriganj, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Bhagat

For the Opposite Party/s : Mr. Sri Umeshnand Pandit

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 27-03-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Daudnagar P.S. Case No. 164 of 2016, registered under Sections
323, 324, 326, 307 and 302/34 of the Indian Penal Code, pending
in the court of Sub-Divisional Judicial Magistrate, Daudnagar
(Aurangabad).

The accusation is that four persons named in the F.I.R.
including the petitioner came at the door of the informant armed
with lathi and knife. At that time, Pappu Kumar and this petitioner
caused injury through knife to Santu Kumar, brother of informant,
who died on the spot, who was caught hold by Shanti Devi and
Shaktiman Kumar.



Learned counsel for the petitioner submits that, in fact, petitioner is the brother of co-accused, Shanti Devi, due to that reason he has falsely been implicated in the present case. Further submission is that petitioner has no criminal antecedent.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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