

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51306 of 2017

Arising Out of PS.Case No. -98 Year- 2017 Thana -KHAJEKALA District- PATNA

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1. Md. Soni son of Md. Jallaluddin R/o Barkat Khan Ka Akhara,
Khajekalan, P.S. Khajekalan District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Bansh Dubey, Advocate

For the Opposite Party/s : Sri Rajesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 24-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends his arrest in connection with
Khajekalan P. S. Case No. 09 of 2017 instituted for the offence
under Section(s) 302/34 of the Indian Penal Code and 27 Arms
act.

Learned counsel for the petitioner has submitted that the
deceased was himself a criminal and he was assaulted by crowd.

In the written report, it is alleged that police got
information that one person was being assaulted on the road near
Lal Mandir and when police reached there, all persons fled away.
The police has alleged that petitioner and two other named
accused fled away on black color motorcycle and besides them



other several persons as named in the fardbeyan were also identified. As such, the police has specifically identified the petitioner and two other accused on motorcycle.

Case diary has been received. The Post Mortem report is available in case diary wherein doctor has found several injuries on the person of deceased. The petitioner has criminal antecedent so in such circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for grant of anticipatory bail of the petitioner is rejected.

The petitioner may surrender before the Court below and make prayer for regular bail which shall be considered and disposed off by the Court below in accordance with law on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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