

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.811 of 2017

Arising Out of PS.Case No. -108 Year- 2016 Thana -BIHRA District- SAHARSA

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Awadhesh Singh @ Abdhesh Singh S/o Bum Singh resident of Village -
Patori, P.S. - Bihra, District - Saharsa.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Dilip Kumar

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 10-02-2017

Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in connection with a
case registered under Sections 302, 307, 379, 427, 504, 506, 448,
324, 323, 341, 147, 148 and 149 of the Indian Penal Code.

Allegation in brief is that large number of persons,
who were male and female, including the petitioner entered inside
the house of the informant in the night committed theft and the
allegation against the female accused is that they committed theft
and one Mantun Singh gave a farsa blow on the head of Kishor
Kumar. Anand Singh and Mithilesh Singh assaulted with rod on
the son of the informant. Prince Singh and Sanjeev Singh, the
elder son of the informant were assaulted by gransa. Later on
Kishor Kumar succumbed to injury and Section 302 I.P.C. was



added.

It is submitted that there is no specific allegation of assault against the petitioner and the prosecution story is also suspicious implicating female accused indulging in theft, loot and allegation of assault against male members. However, there is allegation of assault against this petitioner and except one case under S.C./S.T. Act, there is no other case has been instituted. However, though, no specific allegation of assault against this petitioner but is alleged to be there with other accused.

Considering the nature of offence, the prayer for anticipatory bail is rejected. However, the petitioner, if so advised, may surrender before the court below and seek regular bail, the same shall considered on its own merit without being prejudiced by this order.

(Arun Kumar, J)

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