

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40958 of 2017

Arising Out of PS.Case No. -34 Year- 2017 Thana -LAHERIASARAI District- DARBHANGA

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1. Md. Pyare Hussain @ Payare @ Kubra Son of Md. Abid Hussain
Resident of Mohalla - Kotwali Chowk, Ward No. 26, Naka No. 5 (Near
Raju Tailor), P.S. - Laheria Sarai, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha

For the Opposite Party/s : Mr. Sri Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 09-10-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Laheriasarai P.S. Case
No. 34 of 2017 instituted for the offence under Sections-302/34/120(B)
of the Indian Penal Code.

As per written report, this petitioner along with two other
co-accused named in the written report, assaulted the brother of the
informant by means of lathi, Danda, fist and slaps, on account of which,
his brother sustained injury and later on, he died.

The case diary has been received wherein in postmortem
report, the doctor has found injuries ante mortem in nature, caused by
hard and blunt substance and death was caused due to head injury. The
doctor has found three injuries on the person of the deceased.

In such circumstances, this court is not inclined to grant
anticipatory bail to the petitioner. Accordingly, prayer for anticipatory



bail is rejected.

The petitioner is directed to surrender in the court below and seek regular bail, which will be considered on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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