

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56334 of 2017

Arising Out of PS.Case No. -192 Year- 2016 Thana -MAHNAR District- VAISHALI(HAJIPUR)

=====

Vivek Kumar S/o Deo Prasad Rai, R/o Village- Panpur Hargovindpur,
P.S.- Manhar, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Smt. Asha Kumari

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 11-01-2018 Heard the learned counsel for the petitioners and the
learned APP for the State.

This is an application for grant of anticipatory bail in connection with Mahnar P.S. Case No. 192 of 2016 registered for the offence punishable under Sections 341, 323, 354(b) and 379/34 of the Indian Penal Code.

The allegation against the petitioner is regarding assaulting the informant resulting in abortion of her foetus. It is further alleged that on account of the overt act on the part of the petitioner and others the lady has been badly injured and it has also resulted in miscarriage.

The learned counsel for the petitioner submits that the petitioner is innocent and there is previous enmity amongst the parties, hence the petitioner has been falsely implicated in the



present case.

I have perused the case diary and find that there is specific allegation of assault as well as there is ample medical evidence to the effect that the assault has resulted in miscarriage.

In view of the aforesaid, I am not inclined to grant anticipatory bail to the petitioner. However, the petitioner may approach the trial court for grant of regular bail and in case the petitioner surrenders and applies for regular bail, his prayer for regular bail shall be considered and disposed off on the same day without being prejudiced by the dismissal of the present petition.

The petition is dismissed.

(Mohit Kumar Shah, J)

S.Sb/-

U		T	
---	--	---	--

