

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71100 of 2018

Arising Out of PS. Case No.-146 Year-2018 Thana- KOCHAS District- Rohtas

Rabindra Baitha Son of Late Baliram Baitha, resident of Village- Kharej, P.S. Kargahar, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner is apprehending arrest in connection with
Kochas P.S. Case No. 146 of 2018 for the offence under
sections 147, 148, 149, 447, 341, 323, 427, 307 and 354 of the
Indian Penal Code.

Learned counsel for the petitioner submits that
similarly circumstanced other co-accused have been granted
anticipatory bail by the court below. He submits that nature of
injury is simple and as such section 307 is not attracted in the
instant case.

Having regard to the fact that there is allegation of
assault, the court is not inclined to grant anticipatory bail to the
petitioner. However, rejection of the application for grant of



anticipatory bail will not cause any prejudice.

In the event petitioner surrender and prays for regular bail, the court below is directed to consider the nature of injury, factum of granting bail to similarly circumstanced and dispose of the application for regular bail on the same day without being influenced by the rejection of the application for anticipatory bail.

(Anil Kumar Upadhyay, J)

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