

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13285 of 2018

Arising Out of PS.Case No. -146 Year- 2017 Thana -BHELDI District- SARAN

=====

Salamat Hussain, S/o Late Abbas Hussain, R/o Village- Bhimabagh, P.S.-
 Bheldi, District- Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1, APP

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 16-04-2018 Heard learned counsel for the petitioner and learned
 counsel for the State.

In this case, the petitioner is seeking anticipatory bail
 in connection with Bheldi P.S. Case No.146 of 2017, registered
 for the offence punishable under Sections 341, 323, 307, 302,
 504/34 of the Indian Penal Code.

Allegation has been made against the petitioner that
 he has assaulted Shamima Khatoon as well as Md. Shahid Ansari.
 The assault on Shamina Khatoon led to fracture of her head and
 Mr. Shahid Ansari died on account of receiving injury by *labada*.

Learned counsel for the petitioner submits that the
 statement made in the F.I.R. with regard to fracture on the head
 of Shamina Khatoon is not corroborated from the injury report,



where it has been shown that it was a lacerated wound and cause of death could not be ascertained by the doctor.

Looking to the entire facts and circumstances of the case and also the fact that specific allegation has been made against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for bail is rejected. However, if the petitioner surrenders before the Court below within six weeks from today and prays for regular bail, the Court below will consider the same and pass appropriate order without being influenced by the order of this Court.

(Shivaji Pandey, J)

pawan/-

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

