

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47522 of 2018

Arising Out of PS.Case No. -216 Year- 2018 Thana -BARARI District- KATIHAR

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1. MD. MANAWAR @ MD. MANUWAR HUSSAIN S/o Late Imran Ali,
R/o Vill.- Titwari, P.S.- Barari, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr.Dinesh Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-08-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with Barari P.S.Case No. 216 of 2018, registered for offences punishable under Sections 147, 341, 323, 324, 325, 307 and 354 of the Indian Penal Code.

As per F.I.R., allegation against the petitioner is that the petitioner along with other co-accused persons assaulted the informant with lathi, sticks and bhala etc. causing injuries and also tried to outrage the modesty of the daughter of informant.

Submission of the learned counsel for the petitioner is that the allegation against the petitioner is general and omnibus in nature and there is a case and counter case between the parties and the petitioner has been falsely implicated in this case. It is further



submitted that the petitioner has no criminal antecedent.

Learned A.P.P. as well as learned counsel for the informant, oppose the prayer for bail stating that injuries found on the person of the informant is not on the vital part of the body but it is an allegation of collective assault, causing fracture injury, I am not inclined to grant bail to the petitioner. Accordingly, prayer for anticipatory bail is rejected with a direction to the petitioner that if the petitioner surrenders before the Court below and makes prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by this order of this Court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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