

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5122 of 2018

Arising Out of PS.Case No. -57 Year- 2017 Thana -SRI NAGAR District- MADHEPURA

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1. Anant Sah, Son of Sibsi Sah @ Sibaji Sah, Resident of Village
Permanandpur, P.S. Srinagar, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Vishoka Nand

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 02-02-2018

Heard both sides.

The petitioner apprehends his arrest in Sri Nagar
P.S. case No. 57 of 2017 for the offences punishable under Section
323, 324, 307 and other Sections of the Indian Penal Code.

The informant, A.S.I. of Sri Nagar P.S. alleged that
he went to arrest Dilip Sah, while he was sitting in a tea stall. The
accused Ramesh Sah and others surrounded him and Ramesh Sah
assaulted him with Farsa on his head. When the informant started
fleeing away the petitioner and other accused persons caught him
and brutally assaulted him with Lathi.

The learned counsel for the petitioner submits that
petitioner has falsely been implicated in the case. There is no
specific allegation of assault against the petitioner. Similarly



situated accused Nirmal Sah and Lalan Sah have been granted anticipatory bail vide order passed in Cr. Misc. No. 44351 of 2017 but it appears that anticipatory bail petition of similarly situated accused Raben Sah was earlier rejected by the same bench in Cr. Misc. No. 44071 of 2017. Anticipatory bail petition of Ramesh Sah was also permitted to be withdrawn vide Cr. Misc. No. 53800 of 2017. The petitioner and other accused persons brutally assaulted A.S.I. who had gone to arrest Dilip Sah, accused of Sri Nagar P.S. case No. 37 of 2017.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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