

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14142 of 2018

Arising Out of PS.Case No. -230 Year- 2017 Thana -DESARI District- VAISHALI(HAJIPUR)

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Md. Akhtar, Son of Mujibul, Resident of Village- Gajipur, P.S.- Desari,
District- Vaishali.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-05-2018

Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with Desari
P.S. Case No. 230 of 2017, registered for the offences punishable
under Sections 341, 323, 324, 325, 307, 302 and 34 of the Indian
Penal Code.

Allegation is that petitioner along with two accused
persons assaulted the informant and his father, causing death of
father of the informant.

Submission of learned counsel for the petitioner is that,
as a matter of fact, informant and other accused persons assaulted
the petitioner and in course of assault father of the informant was
injured and he succumbed to the injuries and this false and
concocted case has been filed, which will appear from paragraphs



6, 7 and 8 of the case diary.

Heard learned APP also, who has opposed the prayer for anticipatory bail stating that father of the informant received head injuries and he died due to cardiac arrest.

Having heard both sides and in the facts and circumstances, this not a fit case for grant of privilege of anticipatory bail, rather petitioner to surrender and make prayer for regular bail, which shall be considered on its own merit, without being prejudiced by order of this Court.

(Vinod Kumar Sinha, J)

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