

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60797 of 2018

Arising Out of PS. Case No.-56 Year-2018 Thana- BAUSI District- Araria

Md. Tarique @ Md. Tarik Son of Md. Ekhlague, resident of Village- Mohni,
Ward No. 10, Police Station- Bousi, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate
For the Opposite Party/s : Mr. Sri Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 05-11-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection
with Bousi P.S. Case No.56 of 2018, registered for the offences
punishable under Sections 341/323/325/307/379/ 354B /504 /
506/34 of the Indian Penal Code.

There is case and counter case. In the occurrence of
assault, petitioner allegedly assaulted with sword causing injury
at the head of Md. Toufik Alam. The doctor has found lacerated
wound on the head of Md. Toufik Alam.

Submission is that there is no allegation of repetition
of blow and the injury found is simple in nature. Petitioner side
has also sustained injury. Earlier case was lodged by the
petitioner side.



Considering the fact that the petitioner had knowledge that his act might cause death, I am not inclined to grant anticipatory bail to the petitioner. Hence, the prayer for anticipatory bail is refused. However, in the event of surrender of the petitioner, the prayer for regular bail shall be disposed of without being prejudiced by the order of this Court.

(Birendra Kumar, J)

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