

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60121 of 2017

Arising Out of PS.Case No. -499 Year- 2010 Thana -FORBESGANJ District- ARRARIA

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Md. Israfil @ Israfil, S/o Shekhuddi, resident of Village- Rampur Dakshin,
P.S. Forbesganj, District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Sri Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 11-04-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has renewed the prayer for anticipatory bail in a case registered for the offences punishable under Sections 341, 323, 307 and 379/34 of the Indian Penal Code.

The accusation against the petitioner is that he inflicted an injury with Khukhari on the neck of the informant.

Considering the nature of accusation, the earlier prayer for anticipatory bail of the petitioner was rejected vide order dated 01.08.2012 passed in Cr. Misc. No. 26890 of 2012 with liberty to learned Court below to consider the prayer for regular bail of the petitioner, if he surrenders within a period of six



weeks.

The prayer has been renewed after more than five years of earlier rejection as the present application was registered on 08.12.2017 on the ground that the injury has been found to be simple and the informant has retracted from the initial accusation.

This Court is not inclined to revise the earlier order after five years on such ground. However, let the learned Court below consider the prayer for regular bail of the petitioner in view of the retracted version of the informant since there is no accusation of repeating the blow by the petitioner, if he surrenders within a period of four weeks in connection with Forbesganj P.S. Case No. 499 of 2010 pending in the Court of learned Chief Judicial Magistrate, Araria.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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