

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27752 of 2018

Arising Out of PS.Case No. -713 Year- 2017 Thana -FORBESGANJ District- ARRARIA

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1. Mir Shamim @ Md. Shamim, Son of Md. Rasool, Resident of Village-
Jhirua West, Ward No. 12, P.S.- Simraha (Forbisganj), District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Senior Advocate,
Mr. Vijay Anand, Advocate

For the opposite Party/s : Mr. Sri Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 15-05-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with
with Forbisganj P.S.Case No. 713/2017, registered for offences
punishable under Sections 448, 341, 323, 324, 307, 379 and
504/34 of the Indian Penal Code.

The allegation against the petitioner is of assault to the
informant with farsa on the right side of head of the informant and
others, causing injuries and also took away grains and valuable
papers.

Submission of the learned counsel for the petitioner is
that dispute is going on between the parties and injuries are simple
in nature.



Learned A.P.P. opposes the prayer for bail on the ground that the petitioner was declared absconder, hence the prayer for anticipatory bail is not maintainable.

As such, I am not inclined to grant him privilege of anticipatory bail, however if the petitioner surrenders before the Court below within a period of four weeks from receipt of order and makes prayer for regular bail, the same shall be considered on its own merit without being prejudiced by this order.

With this observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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