

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22892 of 2018

Arising Out of PS. Case No.-388 Year-2016 Thana- PHULWARI SHARIF District- Patna

Banty @ Bunty, Son of Md. Nizam @ Md. Nezam Resident of Village-
Ishopur Firdaus Nagar, Phulwari Sharif, P.S. Phulwari District- Patna.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Nawal Kishor Prasad

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 27-04-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Phulwari Sharif P.S. Case No.388 of
2016 (G.R. No.4369 of 2016), registered for the offence
punishable under Sections 147, 148, 149, 323, 325, 307, 504
and 506 of the Indian Penal Code.

Allegation has been made that the accused persons
including the petitioner came at Murgiya Tola holding deadly
weapons to assault one Sahil, Roki, Bikki and Kalam, but they
did not found there, then the accused persons started hurling
abuses and when Fahim Ansari try to specify them they lost
their control and he was badly assaulted by the accused persons,
led to become unconscious.



Learned counsel for the petitioner submits that co-accused Sikki @ Md. Sikki, has been granted bail by this Court in Criminal Miscellaneous No.18253 of 2017, in which the Court has held that Sikki @ Md. Sikki, was only keeping the gun has not used it.

Looking to the nature of allegation, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is rejected. However, if the petitioner surrenders before the Court below within three weeks from today and prays for regular bail, the Court below will consider the same and pass appropriate order without being influenced by the order of this Court.

(Shivaji Pandey, J)

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