

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18976 of 2018

Arising Out of PS.Case No. -127 Year- 2017 Thana -JAMOBABAZAR District- SIWAN

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Avinash @ Avinash Kumar Singh @ Abinash @ Happy Singh S/o Krishna
Singh, R/o Village- Dumara, P.S.- Jamo Bazar, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Masleh-Uddin Ashraf

For the Opposite Party/s : Mr. Sri Shailendra Kumar -2

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

4 01-05-2018 Heard learned counsel for the petitioner and learned
counsel for the State and learned counsel for the informant.

The petitioner is in custody since 12.02.2018 in connection with Jamo Bazar P.S. Case No. 127 of 2017 for the offence registered under Sections 341, 323, 324, 379 and 504/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that though the injury is said to have been committed at the hands of the present petitioner which indicates that it is caused by hard and blunt substance but the allegation in the first information report is of attacking with sword. The petitioner has also filed a counter case alleging attack by the informant's side.

Learned counsel for the informant, however, resisted the application and submitted that the petitioner is having a criminal antecedent and is renowned figure who has been hired by the co-accused to eliminate the informant.



Diary of the present case was called for which has since been received and the injury purported to have been inflicted by the petitioner, has been found to be grievous in nature.

In view of the aforesaid facts and circumstances of the case and that the petitioner is having criminal antecedent, I am not inclined to grant bail to the petitioner. It is, accordingly, rejected.

However, the petitioner will be at liberty to approach for renewal his prayer for bail after framing of charge.

(Anjana Mishra, J)

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