

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23702 of 2018

Arising Out of PS.Case No. -241 Year- 2017 Thana -PHULWARIA District- GOPALGANJ

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Brahma Prasad @ Brahma Nand Prasad, Son of Shankar Prasad, Resident
of Village-Murar Batraha, P.S.-Phulwaria, District-Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Satish Chandra Mishra

For the Opposite Party/s : Mr. Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-05-2018

Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with
Phulwariya P.S. Case No. 241 of 2017 registered for the offences
punishable under Sections 341, 323, 307, 447 and 34 of the Indian
Penal Code.

Allegation against the petitioner is of assault to the
informant by dab, causing injuries.

Submission of learned counsel for the petitioner is that
there is counter case of the petitioner which has lodged on the
same day of occurrence, whereas the present case has been lodged
after two days of the occurrence and the petitioner side has also
received injuries, one of which is said to be grievous in nature.

Heard learned APP and learned counsel for the



informant, who has opposed the prayer for anticipatory bail stating that injury is on the temporal region and opinion of the same has been kept reserved.

Having heard both sides and in the facts and circumstances, I am not inclined to grant privilege of anticipatory bail to the petitioner, rather petitioner to surrender and make prayer for regular bail, which shall be considered on the basis of materials available on record.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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