

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5431 of 2019

Arising Out of PS. Case No.-28 Year-2017 Thana- WAJIRGANJ District- Gaya

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Sarekh Singh @ Birendra Kumar Singh @ Suresh Singh Late Ramdev
Singh Resident of Village-Karhaauna, P.S.- Wazirganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
: Mr. Lakshmi Kant Sharma, Advocate
For the Opposite Party/s : Mr. Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 13-02-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Wazirgang P.S. Case No. 28 of 2017 for the offence
punishable under Sections 341, 323, 325, 307, 354, 504, 427,
379/34 of the Indian Penal Code.

Learned Senior counsel appearing for the
petitioner submits that earlier the prayer for anticipatory
bail of this petitioner had been rejected by this Court vide
order dated 06.07.2017 in Cr. Misc. No. 14615 of 2017. The
petitioner, who is aged about 60 years, is suffering form
heart ailments, which would be evident from annexure-3. As
a matter of fact, no specific allegation has been levelled



against the petitioner. Hence, the petitioner may be granted the privilege of anticipatory bail.

Learned counsel for the informant has vehemently opposed the submission of learned Senior counsel and submitted that the petitioner is named in the F.I.R. and there is allegation of assault against him due to which deceased died. Therefore, merely on the ground of heart ailment the petitioner cannot be granted the privilege of anticipatory bail.

Considering the facts and circumstances of the case, I do not find any fresh ground to grant the privilege of anticipatory bail to the petitioner. Accordingly, the prayer for grant of anticipatory bail of this petitioner is rejected.

(Arvind Srivastava, J)

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