

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15170 of 2019

Arising Out of PS. Case No.-401 Year-2018 Thana- BAIRIYA District- West Champaran

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AJIM GADDI @ AAJIM GADDI Son of Late Budhan Gaddi Resident of
Village - Bairiya Gadiyani Tola, ward no. 4 P.S.- Bairiya, District - West
Champaran.

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Shaheen Begum

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 24-06-2019 This application, for grant of anticipatory bail,

arises out of Bairiya P.S. Case No. 401/18, disclosing offences

under Sections 341, 323, 325, 324, 307, 354(B), 379, 504,

506/34 of the Indian Penal Code.

Allegation as per F.I.R. is that petitioner and others

came to the informant and assaulted the informant and his

family and specific allegation against this petitioner that he tried

to molest the wife of informant's brother and on hulla, he

assaulted on her head by means of dabiya and also tried to lift

the son of informant, however, he could be save with the help of

villagers.

Submission of learned counsel for the petitioner is

that the genesis of the occurrence is previous cases between the

parties and though there is finding that the injuries being



grievous in nature but from perusal of the injury report, it would appear that the injuries are superficial in nature. Further submission is that co-accused of this case has been enlarged on regular bail by a coordinate Bench of this Court vide order dated 30.04.2019 passed in Cr. Misc. No. 20687/19.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner should surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case and also after considering the fact that co-accused of this case has been granted regular bail by a coordinate Bench of this Court vide order dated 30.04.2019 passed in Cr. Misc. No. 20687/19, without being prejudiced by this order, if possible on same day.

This application is, accordingly, dismissed

(Vinod Kumar Sinha, J)

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