

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29434 of 2019

Arising Out of PS. Case No.-274 Year-2018 Thana- WARISNAGAR District- Samastipur
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MD. ASRAF Son of Md. Kasim, Resident of Village-Purnahi, P.S-Warisenagar,
District-Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh

For the Opposite Party/s : Mr.Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL ORDER

2 13-05-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Warisenagar P.S. Case No. 274 of 2018 for the offence
punishable under Sections 341, 323, 307, 504/34 of the
Indian Penal Code.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. In fact, there is
dispute between the parties with respect to a passage and
on account of the same altercation took place between them
in which the nephew of the informant sustained simple
injury which is evident from injury report at Annexure-2.



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

Learned counsel for the State has opposed the prayer for bail and submitted that there is direct allegation against the petitioner of giving axe blow on the head of the nephew of the informant resultantly he sustained injury. Therefore the petitioner does not deserve the privilege of anticipatory bail.

Considering the facts and circumstances of the case, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Accordingly, the prayer for grant of anticipatory bail is rejected.

(Arvind Srivastava, J)

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