

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30118 of 2019**

Arising Out of PS. Case No.-230 Year-2015 Thana- RUPAULI District- Purnia

Shamsher @ Md. Shamsher S/o Md. Iliyas R/o village- Ojhi Kopa, P.S.-
Rupauli, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 22-08-2019 This is an application for grant of anticipatory bail in connection with Rupouli P.S. Case No. 230 of 2015, disclosing offences under Section 302 and 34 of the Indian Penal Code.

Allegation against the petitioner is that the petitioner along with other accused persons assaulted to the deceased causing grave injury.

Submission of learned counsel for the petitioner is that the allegation is against other accused person, moreover it appears from the FIR that the dispute is between two brothers. He further submits that the petitioner has falsely been implicated in this case.

Heard learned A.P.P. also who has opposed the prayer for anticipatory bail and submits that the allegation against the petitioner is to have assaulted the deceased.



Having heard both sides, in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner may move before the learned court below for regular bail, which will be considered by the learned court below on its own, without being prejudiced by order of this Court.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

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