

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.78091 of 2018**

Arising Out of PS. Case No.-184 Year-2018 Thana- RAMPUR District- Gaya

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Md. Shahrukh Hussain @ Md. Sahrukh S/o Md. Shahnawaj Hussain @  
Shannu, R/o Vill.- White House Compound, Road No. 4, P.S.- Rampur,  
District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Vijay Anand

For the Opposite Party/s : Mr.Sri Binod Kumar 3

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

2      04-01-2019                      This application, for grant of anticipatory bail,  
  
arises out of Rampur P.S. Case No. 184/18, disclosing offences  
  
under Sections 147, 148, 452, 341, 323, 307, 302, 506 and 120  
  
(B) of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner and others is of  
  
assault to the son of informant causing his death.

Submission of learned counsel for the petitioner that  
  
there is allegation against three persons of assaulting the  
  
deceased and further there is delay of four days in lodging the  
  
F.I.R and no plausible explanation has been offered for the  
  
same.

Learned counsels for the State as well as informant  
  
opposed the prayer for bail and submitted that there is specific



allegation against the petitioner that he assaulted the deceased on his head by means of rod.

Having heard both sides, considering the facts and circumstances and the nature of allegation, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather he should surrender before the court below and make prayer for regular bail, which will be disposed of by the court below on the merit of the case without being prejudiced by the order of this Court.

This application is, accordingly, dismissed

**(Vinod Kumar Sinha, J)**

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