

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40198 of 2019**

Arising Out of PS. Case No.-242 Year-2018 Thana- BIRAUL District-
Darbhanga

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MD. TABREZ ALAM Son of Badrul Hoda Resident of Village- Akbarpur,
Benk, P.S.- Biraul and District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Girish Chandra Jha, Advocate.
For the Informant : Mr. Md. Sufiyan, Advocate
Mr. Thakur Brajesh Singh, Advocate.
For the State : Mr. Rajendra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 28-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 448, 341, 323, 324, 307, 379, 504, 34 of
the Indian Penal Code registered in connection with Biraul P.S.
Case No. 242 of 2018.

3. It is submitted that the petitioner has been falsely
implicated on the accusation of having assaulted the informant
with *gadasa* on the head. There is case and counter case between
the parties. There is delay in recording the fardbeyan on
01.10.2018 for the alleged occurrence of 29.09.2018 and the F.I.R.
has been instituted thereafter on 07.10.2018. It is submitted that
the corresponding injury is simple in nature. The petitioner is



accused in one prior case vide Biraul P.S. Case No. 230 of 2018 which has been filed by the uncle of the petitioner.

4. Learned APP assisted by learned counsel for the informant appears and has been heard. It is submitted on behalf of the informant that injury no. 2 sustained by the informant is opined as dangerous to life.

5. Having regard to the nature of accusations and the gravity of the offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

6. If the petitioner surrenders and seeks regular bail before the learned Court below the same shall be considered on its own merit in accordance with law, without being prejudiced by any observation in the present order.

(Vikash Jain, J)

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