

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56464 of 2019

Arising Out of PS. Case No.-71 Year-2019 Thana- HASANPUR District- Samastipur

Nandan Sharma Son of Bhola Sharma, Resident of Village-Fulhara, Police Station-Hasanpur, District-Samastipur.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking anticipatory bail in connection with Hasanpur P.S. Case No. 71 of 2019 registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is an innocent person and has committed no offence. Learned counsel further submitted that in fact on the alleged date of occurrence the deceased and his three associates took heavy wine due to that he met with an accident and dragged the petitioner falsely.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail.



Considering the facts and circumstances of this case, where it is the case of the prosecution that the petitioner had come to the house of the informant and requested the deceased to take him to village Fulhara and thereafter the petitioner has allegedly assaulted as a result of which he died, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner.

In case, petitioner surrenders in the court below and prays for regular bail within a period of four weeks from today, the same shall be considered on its own merit and the same shall not be rejected by the court below only on the ground that this Court has refused to grant anticipatory bail to the petitioner. Prayer for regular bail shall be considered on the basis of materials on the record and on consideration of the parameters for grant of privilege of regular bail.

(Rajeev Ranjan Prasad, J)

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