

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4225 of 2018

Arising Out of PS. Case No.-53 Year-2018 Thana- MANIGACHI District- Darbhanga

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Aqib Anwar Khan @ Atif Khan S/o Zaheer Khan Resident of Village-Paithan
Kabai, P.S.-Manigadhi (Nehra O.P.) District-Darbhangha.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Vinay Kumar Mishra
For the Respondent/s : Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-01-2019 Heard the parties.

The appellant seeks pre-arrest bail in Manigachhi P.S.
Case No.53/18 registered for the offences under Sections 341,
323, 324, 307, 379, 504, 506/34 of the I.P.C. and Section 3(i)(r)
(s) of S.C./S.T. (Prevention of Atrocities) Act.

Allegation against the appellant is of abusing by
calling his caste name and also assaulting him by knife.

Submission of the learned counsel for the appellant is
of false allegation and the injury is said to be simple in nature.

Heard learned Special P.P. also who opposed the
prayer for anticipatory bail stating that the medical report has
supported the prosecution case though the petitioner does not
come within the purview of SC/ST as per the Gazette of India.

Having heard both sides and in view of the facts and



circumstances of the case, I am not inclined to grant anticipatory bail to the appellant. However, if the appellant surrenders before the court below and pray for regular bail which shall be considered on the basis of the materials available on the record without being prejudiced by this order.

With this observation this appeal is disposed of.

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(Vinod Kumar Sinha, J)

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