

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73130 of 2019

Arising Out of PS. Case No.-273 Year-2019 Thana- DEEPNAGAR District- Nalanda

ABHAY KUMAR @ BAUA Son of Muneshwar Yadav Resident of Village-
Barhauna, Police Station-Telmar, District-Nalanda at present residence of
Sohan Kuan, Ramchandarpur, Police Station-Laheri, District-Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Adv.
For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 21-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Deepnagar P.S. Case No. 273 of 2019, pending in the Court of
the Chief Judicial Magistrate, Nalanda at Biharsharif, registered
under Sections 147, 148, 323, 341, 307, 504 and 506 of the
Indian Penal Code.

The accusation is that informant, Ajay Kumar, Warden
of Divisional Jail, Biharsharif, along with other Warden, Ram
Pukar Singh, had gone to purchase the vegetables at Rajgir
Road where 10 to 12 persons, boarding on six motorcycles came
and made query about Hawaldar Kanhaiya Thakur and they
started assaulting him, out of which five persons including the



petitioner were identified who indulged in causing assault. At that time, petitioner caused assault through butt of pistol who is released recently from jail.

Submission is that it would appear from injury report, Annexure 2, that only three injuries are found on the person of the informant, which are simple in nature.

On the other hand, Additional Public Prosecutor submits that it would appear from para-3 of the petition that petitioner has criminal antecedent and involved in eight cases.

Having regard to the facts and circumstances of the case, I am not inclined to grant the privilege of pre-arrest bail to the petitioner. The prayer for pre-arrest bail is **rejected**. The petitioner is directed to surrender before the Court below and seek regular bail, which will be considered on its own merit and without being prejudiced of this order.

(Rajendra Kumar Mishra, J)

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