

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3608 of 2020

Arising Out of PS. Case No.-350 Year-2019 Thana- DHAKA District- East Champaran

MD. SARTAJ S/o Jabir Husain Resident of Village- Chainpur, P.S.- Dhaka,
Distt- East Champaran Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Rashmi Jha, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner in the present case is seeking anticipatory bail in connection with Dhaka P.S. Case No. 350 of 2019 registered for the offences punishable under Sections 448, 341, 323, 324, 353, 384, 307, 427, 504, 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and no offence under Section 307 IPC is made out as the injury has been found to be caused by hard blunt substance and simple in nature.

Learned APP has opposed the prayer of anticipatory bail.

Considering the facts and circumstances of the case wherein there is specific allegation against the petitioner that he along with others had entered in the office of the Executive



Officer, Nagar Parishad and had indulged in assaulting him and there is allegation that this petitioner had pointed knife on the neck of the informant, pressed his neck and assaulted him, the manner of occurrence alleged in the FIR and the allegation against the petitioner being that of actively participating in the alleged occurrence, I am not inclined to grant the petitioner privilege of anticipatory bail. His prayer for anticipatory bail is thus, refused.

In case the petitioner surrenders and prays for regular bail before the learned court below within a period of four weeks from today, his prayer for bail shall be considered on its own merit without being prejudiced by the present order of this Court.

(Rajeev Ranjan Prasad, J)

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