

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40664 of 2015

Arising Out of PS.Case No. -150 Year- 2015 Thana -DAUDNAGAR District- AURANGABAD

- =====
1. Gupteshwar Singh, S/o Ramdayal Singh, resident of Dhanwa, P.S. - Daudnagar, District - Aurangabad.
 2. Rahul Kumar S/o Gupteshwar Singh, Resident of Dhanwa, P.S. - Daudnagar, District - Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Durga Narayan

For the Opposite Party/s : Mr. Nitya Nand Tiwary (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 09-12-2015 Learned counsel for the petitioners seeks permission to withdraw the Anticipatory Bail Petition of petitioner no. 1, Gupteshwar Singh, as he has already been arrested.

Prayer is granted.

The Anticipatory Bail Petition of petitioner no. 1, Gupteshwar Singh is dismissed as withdrawn as has become infructuous.

Heard both sides.

The petitioner no. 2, Rahul Kumar apprehends his arrest in a case under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code.

The petitioner no. 2, Rahul Kumar and his father came to court and threatened the informant to withdraw the case.

The petitioner no. 2, Rahul Kumar is alleged to have assaulted the informant with a knife. The informant got two sharp-cut injuries on his armpit. It is submitted that the allegation is false. A partition suit is pending between the parties and, that is why, this false case has been lodged, but from perusal of the record, it appears that there is a very specific allegation against the petitioner no. 2, Rahul Kumar that he gave two blows with knife and corresponding injuries are found on the armpit of the informant.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner no. 2, Rahul Kumar on anticipatory bail in Daudnagar P.S. Case No. 150 of 2015. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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