

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4555 of 2015

Arising Out of PS.Case No. -344 Year- 2014 Thana -KATIHAR District- KATIHAR

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1. Vikky Yadav son of Shiv Shankar Yadav Resident of Village Barmasia,
P.S. Katihar (Sahayak), District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Musowir, Advocate.

For the Opposite Party/s : Mr. Md.Fahimuddin(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 03-02-2015 Heard both sides.

The petitioner apprehends his arrest in Katihar (Sahayak) P.S. Case No. 344 of 2014, registered for the offences punishable under Sections 384, 323, 307 and 379 of the Indian Penal Code.

The informant alleged that the petitioner came on his shop and forcibly took Pann Masala and on protest the petitioner is alleged to have assaulted the informant with knife which hit on his cheek. The petitioner is also alleged to have taken away money from the shop of the informant.

Learned counsel for the petitioner submits that petitioner is innocent. The petitioner is next door neighbour of the informant and there is some land dispute between the parties. The

informant wanted to grab the homestead land of the petitioner and for that some altercation took place and the informant fell down and causing scratch injury on his cheek.

On perusal of records, it appears that there is very specific allegation against the petitioner that he forcibly took Paan Masala and also demanded extortion. On protest, the petitioner is alleged to have assaulted the informant with knife which hit on his cheek and corresponding injury was also found.

Considering the facts aforesaid and the fact that the petitioner has got criminal antecedent, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below within four weeks from the receipt/production of a copy of this order and pray for regular bail and his prayer shall be considered on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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