

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7054 of 2015

Arising Out of PS.Case No. -280 Year- 2014 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

=====

Dhananjay Choudhary

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Singh-Sr. Advocate

For the Opposite Party/s : Md. Arif- (A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

03 28-04-2015

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

There happens to be specific allegation against the petitioner, who along with one Chandramauli Choudhary and one unknown person having armed with firearm, raided the clinic of the informant and asked for *rangdari*. On resistance, apart from snatching of Rs.10,000/- from the pocket of Satyendra Kumar by Chandramauli, petitioner also facilitated by giving butt blow. It has also been alleged that they have caught hold hands of female staff in order to outrage their modesty.

Contention on behalf of the petitioner is that on account of absence of injury report, assault by means of butt of pistol is not proved. It has also been submitted that petitioner is not the person, who had snatched the money. It has also been

submitted that during course of investigation, the supervising authority did not find the present case under Section 386 I.P.C. It has further been submitted that as the petitioner deflected from the camp of the informant whereunder he used to refer the patient, he has been falsely implicated. As such, it happens to be a case wherein petitioner should be granted anticipatory bail.

On the other hand, learned Additional Public Prosecutor opposed the prayer.

Gone through the case diary, apart from further statement of the informant and her husband, Satyendra from whose possession Rs.10,000/- was snatched as well as during course thereof, was assaulted by the petitioner categorically supported the case of the prosecution including that of other witnesses.

That being so, I do not see it a fit case for grant of an anticipatory bail. Consequent thereupon, prayer of petitioner for anticipatory bail is rejected.

(Aditya Kumar Trivedi, J)

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