

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 47268 of 2014

Arising Out of PS.Case No. -8 Year- 2014 Thana -ARWAL MAHILA District- JEHANABAD

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Ram Vinay Ram son of Ram Nath Ram resident of village Lakshmanpur
Bathe, P.S. Parasi District Arwal.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

3 30-04-2015

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends arrest in Arwal Mahila
P.S. Case No. 08 of 2014 dated 30.03.2014 instituted under
Sections 341/342/337/354/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
there is case and counter case and only because the petitioner had
taken money from the family of the informant during the marriage
of his daughter and when the same was asked to be returned, this
false case has been instituted only to ensure that the petitioner
does not ask for return of the money. Learned counsel submits
that there have been injuries on both sides and the petitioner
cannot be said to have committed the crime of teasing the minor
daughter of a co-villager in the village itself. It is further submitted
that the petitioner has no criminal antecedent.

Learned A.P.P. opposes the prayer for anticipatory

bail and submits that in the counter case, there is no cogent reason given for the incident and the same prima facie appears to have been instituted in a hurry as the only reason given for the scuffle is that there was past enmity whereas in the present case, the genesis of the incident has been well and convincingly explained. It is further submitted that for the informant not wanting to return the money, he would not have gone to the house of the petitioner along with others and assaulted him and it should rather have been otherwise; thus the defence taken on behalf of the petitioner is also not convincing.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on anticipatory bail.

The application, accordingly, stands dismissed.

However, in the event the petitioner surrenders and prays for regular bail before the Court below, the same shall be considered on its own merits in accordance with law without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

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