

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30224 of 2016

Arising Out of PS.Case No. -260 Year- 2015 Thana -RAJGIR District- NALANDA
(BIHARSHARIFF)

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Jitendra Kumar S/o Late Shiya Charan Das @ Shiya Sharan Arya residence
of Village- Gandhi Tola, P.S.- Rajgir, District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Raj Kumar Singh, Advocate.

For the Opposite Party : Mr. Ahtash Ali Khan, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 13-12-2016 Heard both sides.

The petitioner apprehends his arrest in Rajgir P.S. Case No. 260 of 2015, registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code.

The informant alleged that the petitioner and other three accused persons entered into her house and asked to withdraw the case lodged against the petitioner. The petitioner is alleged to have dragged the informant outside the house where Mithun Kumar, husband of the informant, and her father-in-law came to rescue the petitioner and others are alleged to have assaulted Mithun Kumar and his father.

Learned counsel for the petitioner submits that there is a counter version being Rajgir P.S. Case No. 259 of 2015. The



sister-in-law of the informant left her house and solemnized marriage with the petitioner but the family members of the informant lodged a case of kidnapping against the petitioner. It is further submitted that present case is lodged only for defence in Rajgir P.S. Case No. 259 of 2015. Even in the present case, the witnesses in paragraph 9 and 10 of the case diary alleged that the petitioner was assaulted by the informant and her family members only because the petitioner solemnized marriage with the sister-in-law of the informant but it appears that there is specific allegation against the petitioner that he earlier solemnized marriage with the sister-in-law of the informant and was pressurizing the informant and her family members to withdraw the case and on refusal the petitioner assaulted the husband of the informant and father-in-law of the informant. The husband of the informant got one injury on his head and the doctor reserved the opinion about the nature of injuries.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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