

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34257 of 2016

Arising Out of PS.Case No. -45 Year- 2016 Thana -NATIONAL HIGHWAY District-
SAMASTIPUR

=====

Jitendra Sah @ Jitendra Kumar Sah son of Late Ram Milah Sah Resident
of village - Gauspur Sarsauna, P.S. - N.H. Bangra, District - Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Ajoy Kumar Chakraborty, Advocate
For the Opposite Party : Mr. Sri Akbar Ali, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 27-09-2016 Heard both sides.

Petitioner apprehends his arrest in connection with
N.H.Bangra P.S.Case No.45 of 2016 under Sections 307, 354 and
other Sections of the IPC.

The informant alleged that the petitioner came inside the
courtyard and caught his wife Jyoti Kumari from backside in order
to outrage her modesty. On alarm made by the wife of the
informant, the informant came but the petitioner assaulted the
informant with Khanti on his head.

Learned counsel for the petitioner submits that the
petitioner is the brother of the informant. There is a dispute with
regard to partition. The wife of the informant also filed a case

bearing N.H.Bangra P.S.Case No.46 of 2016 against the informant Rajeev Sah and his wife but from perusal of the record, it appears that the informant and his wife and other witnesses have reiterated that the petitioner entered into the house of the informant and caught the informant's wife with bad intention and on protest, the petitioner assaulted with *khanti* on his head as a result, of which his head was fractured.

Considering the aforesaid facts and circumstances, I am not inclined to release the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

B.Kr./-

U		T	
---	--	---	--