

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39243 of 2016

Arising Out of PS.Case No. -7 Year- 2016 Thana -BHABHUA District- BHABHUA (KAIMUR)

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Sonu Kumar Patel son of Late Mahendra Singh, R/o Village- Betari, P.S.-
Bhabua, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 13-12-2016 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in Bhabua P.S.
case No.07 of 2016 registered under Sections 353, 448, 341, 323,
504, 379 and 506/34 of the Indian Penal Code, pending before the
court of Chief Judicial Magistrate, Kaimur at Bhabua.

The prosecution case, in brief, is that the accused
persons including the petitioner entered inside the School and
started abusing and threatening the informant, who is teacher in
Government School. They also assaulted him by fists and slaps
and taken away Rs.5000/-.

It has been submitted on behalf of the petitioner that
there is no allegation of tampering of witnesses alleged against the



petitioner. The petitioner has falsely been implicated in the present case. The petitioner has been made accused due to previous enmity. The informant was suspended on the complaint made by the petitioner and the other villagers. Hence, in retaliation to that, the present case has been instituted against him.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. There is specific allegation against him and two cases are pending against him.

Considering the aforesaid facts and circumstances, I am not inclined to extend the privilege of anticipatory bail to the petitioner. Prayer for anticipatory bail is rejected.

Anyhow if the petitioner surrenders in the court below within a period of six weeks from today, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

Narendra/-

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