

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 43859 of 2016

Arising Out of PS.Case No. -30 Year- 2016 Thana -DHANARUA District- PATNA

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Rohit Kumar @ Kolahari Sharma, Son of Sri Surendra Prasad Sharma, Resident of
village - Khadiha, P.S. Dhanarua, District – Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar Pandey & Mr. Radhe Shyam Kumar, Advocates
For the State	:	Mr. Sadanand Paswan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 04-10-2016

Heard learned counsel for the parties.

The petitioner seeks pre-arrest bail in Dhanarua P.S.

Case No. 30 of 2016 dated 21.01.2016 instituted under Sections
447/448/323/379/504/506/34 of the Indian Penal Code, 27 of the
Arms Act and 3(1)(x) of The Scheduled Castes and The Schedules
Tribes (Prevention of Atrocities) Act, 1989.

The allegation against the petitioner is that he along
with co-accused Pintu Singh, had come to the house of the informant
and after putting gun to his temple had threatened to shoot him if he
did not withdraw the case against Pintu Singh. It is further allegation
that the petitioner and the other co-accused had also used abusive
language with regard to the caste of the informant.

Learned counsel for the petitioner submits that as per the *fardbeyan* itself, the case was against Pintu Singh and, thus, the petitioner was nowhere involved with regard to either the case being withdrawn or put to trial. It is further submitted that the petitioner has no enmity with the informant and only because of being a co-villager, due to local politics, he has been implicated in this case.

Having considered the rival contentions, the Court is not inclined to enlarge the petitioner on anticipatory bail.

Accordingly, the application stands dismissed.

However, in the event the petitioner surrenders before the Court below and seeks regular bail within one month from today, the same shall be considered on its own merits, in accordance with law, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	