

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50522 of 2016

Arising Out of PS.Case No. -180 Year- 2016 Thana -KARAHGAR District- SASARAM (ROHTAS)

=====

Kamakhya Paswan, S/o Late Ramji Paswan, resident of village - Ladui,
P.S. Karahgar, District Rohtas (Sasaram).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Dr. Shraddhanand Paswan, Advocate.

For the Opposite Party : Smt. Gulnar Begam, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-11-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Karahgar P.S. Case No. 180 of 2016 for the offences
instituted under Sections 341, 448, 452,307, 324, 326 and 379 of
the IPC.

The prosecution story, in brief, is that there was some hot
exchange of words between the informant and her husband but her
brother-in-law (Bhaisur) i.e., this petitioner thought it talking
about him and the petitioner and his daughters Ruby Devi and
Baby Kumari intruding into her house indulged into scuffling with
her. She caught hold Ruby Devi then this petitioner gave knife
blow on her chest and the accused persons left the scene taking her



Rs. 40,000/-.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. He has falsely been implication in the present case. The injury report is said to be manufactured at the instance of the informant. Both the parties are agnates. Due to property dispute, this false case has been instituted against the petitioner.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R. There is specific allegation of stabbing his own Bhabho. The nature of injury is grievous.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in connection with Karahagar P.S. Case No. 180 of 2016, pending in the court of learned A.C.J.M. Sasaram (Rohtas). Anyhow, if the petitioner surrenders in the court below the same shall be considered on its own merit preferably on the same day without being prejudiced by the order of this Court.

U.K./-

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

(Sudhir Singh, J)

