

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43586 of 2016

Arising Out of PS.Case No. -292 Year- 2015 Thana -FORBESGANJ District- ARRARIA

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Sanjay Mehta, S/o Satya Narayan Mehta, Resident of Village Mushahari,
P.S. Forbesganj, District Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 17-10-2016

Heard leaned counsel for the petitioner and the

leaned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Forbesganj P.S. Case No. 292 of 2015, registered under Sections 147, 341, 323, 307, 379 and 506 of the Indian Penal Code, pending in the court of the Chief Judicial Magistrate, Araria.

The accusation is that five persons named in the F.I.R., including the petitioner, reached at the field of the informant and obstructed to plough the field. In the meantime, petitioner snatched the key of the tractor and started assaulting through fists and slaps to the driver of the tractor. When informant rushed to save his driver then Sanjay Mehta (Petitioner), Rajresh Mehta, Manoj Mehta and Shambhu Mehta caught hold him and pushed him on the tractor. Thereafter, this petitioner caused injury through farsa at the neck of the informant

and he was also assaulted by fists and slaps.

Learned counsel for the petitioner submits that only two incised wound $\frac{1}{2}$ "X $\frac{1}{4}$ " X $\frac{1}{4}$ " on left palm dorsal surface above right finger and 1"X $\frac{1}{4}$ "X $\frac{1}{4}$ " on left lateral neck were found. Further submission is that according to the Doctor, who examined informant on 10.07.2015. The injuries were within six hours, whereas the occurrence is of 08.07.2015. Further submission is that there was a dispute in between the petitioner and the informant for which Forbesganj P.S. Case No. 291 of 2015 was instituted by petitioner and due to that reason petitioner has falsely been implicated in this case.

Having considered the facts and circumstances of the case and the nature of allegation, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial Court within four weeks and pray for regular bail, which would be considered by the trial Court on its own merit without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J.)

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