

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26731 of 2017

Arising Out of PS.Case No. -388 Year- 2016 Thana -MASAURHI District- PATNA

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1. Rajendra Kumar Giri, S/o late Shivnath Giri, resident of Taregna Math,
P.S. Masaurhi, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Pd. Shaha, Advocate

For the Opposite Party/s : Smt. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 02-08-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Masaurhi
P.S. Case No.388 of 2016 instituted for the offence under
Section(s) 353, 386, 504/506 Indian Penal Code pending in the
Court of the Sub-Divisional Judicial Magistrate, Masaurhi, Patna.

Case of the prosecution is that on 22.08.2016, this
petitioner threatened the informant on his mobile by calling from
his mobile that he will assault Pramod Kumar, a clerk in the
office of the informant, who is Circle Officer. The informant
raised objection then the petitioner threatened the informant that
he will kill him also and implicate him in a false case. It is further
alleged that earlier also similar threat was given by the petitioner
to the informant for which Masaurhi P.S. Case No.292 of 2015
had been lodged.



Counsel for the petitioner has submitted that in Masaurhi P.S. Case No. 292 of 2015, the petitioner has been granted anticipatory bail. It has further been submitted that there was land dispute for measurement of land.

From the written report, it appears that there is specific allegation against the petitioner of making call on the mobile of the informant, who is Circle Officer, and giving threat to assault him as well as his Clerk. It further appears that earlier also threat was given for which a case was registered in which the petitioner has been granted anticipatory bail. This second incident has been committed by this petitioner after grant of anticipatory bail in the first case as mentioned above.

In such circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer of the petitioner for grant of anticipatory bail is rejected.

The petitioner may surrender in the Court below and seek regular bail, which shall be considered and disposed off preferably on the same day on its own merit in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

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