

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44130 of 2017

Arising Out of PS.Case No. -233 Year- 2017 Thana -BAHADURPUR District- DARBHANGA

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Balmiki Jha, Son of Arun Jha, Resident of Village – Salha, Police Station -
Bahadurpur, District - Darbhanga.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Kumar Verma, Advocate

For the Opposite Party : Smt. Asha Kumari (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-09-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Bahadurpur P.S. Case No. 233 of 2017, registered for the
offence punishable under Sections 341, 323, 324, 504, 506, 384/34
of the Indian Penal Code.

Allegedly, due to non-payment of extortion money
the petitioner assaulted the informant with knife on his neck and
face repeatedly causing injuries and bleeding and further took
away Rs. 25,000/- from the pocket of the informant.

Submission is of false implication and that now the
case has been compromised, compromise petition has also been
filed. The prosecution story appears not probable and reliable and



as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. seriously opposes the prayer of pre-arrest bail by submitting that the case is not compoundable and the petitioner has assaulted the informant with knife repeatedly.

In the facts and circumstances as stated above, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with Bahadurpur P.S. Case No. 233 of 2017, pending in the Court of learned Chief Judicial Magistrate, Darbhanga.

However, in case and if so advised the petitioner surrenders and seeks regular bail then his prayer for regular bail shall be considered preferably on the same day on its own merits without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J.)

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