

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50707 of 2016

Arising Out of PS.Case No. -586 Year- 2015 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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Kanhaiya Patel Son of Rudal Patel Resident of Village- Churamanpatti,
P.S.- Nautan, District- West Champaran, at present village- Chargaha
Mishra Tola, P.S.- Bettiah Mufassil, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta

For the Opposite Party/s : Mr. Smt. Indu Bala Pandey

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 09-02-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is accused in connection with Bettiah
Muffasil P.S. Case No. 586 of 2015 registered under sections 147,
148, 149, 323, 324, 307, 379, 427 and 504 of the I.P.C. pending in
the Court of C.J.M., Bettiah, West Champaran.

The accusation is that 13 F.I.R. named accused
persons including the petitioner and 10-15 unknown started
demolishing the boundary wall and house of the informant. On
protest being made the informant was assaulted by the petitioner
with bricks at the head. Thereafter, the accused persons took away
furniture, cash of Rs. 12,500/- and damaged the household articles
worth Rs. 1,25,000/-.



Earlier, prayer of the petitioner for Anticipatory Bail was rejected by a Bench of this Court vide Cr. Misc. No. 4913 of 2016 with observation that if he surrenders within a period of six weeks, his prayer for regular bail shall be considered, but the petitioner did not comply the order of the Court within stipulated time and therefore, his prayer for bail was rejected.

Having considered the facts and circumstances of the case, I am not inclined to allow the prayer of the petitioner for bail. Accordingly, this application is rejected.

However, the petitioner may renew his prayer for bail after framing of charge.

(Arvind Srivastava, J)

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