

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48625 of 2017

Arising Out of PS.Case No. -177 Year- 2017 Thana -BAJPATTI District- SITAMARHI

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1. Shyam Jha @ Ghanshyam Jha, S/o Late Shukhdeo Jha, Resident of
Village- Boha Vasudevapur, P.S.- Bajpatti, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Adv.

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 23-11-2017 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Bajpatti Police Station Case No. 177 of 2017, disclosing
offences under Sections 341, 323, 307, 448, 354, 380, 427,
379/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
the petitioner, who is of clean antecedent, is innocent and has
not committed any offence. In fact, the petitioner happens to be
retired Government employee having age of 66 years has falsely
been implicated in this case. According to the investigation, the
specific allegation is levelled against co-accused, Ranji Jha, who
happens to be nephew of the petitioner. Hence, the petitioner



deserves the privilege of anticipatory bail.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of this petitioner and submitted that there is direction allegation of assault by means of knife causing injury to the informant against the petitioner. Moreover, the witnesses have also supported the prosecution version, which is evident from paragraph nos.6, 7, 13 and 14 of the case diary.

Considering the facts and circumstances of the case, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of this petitioner is rejected.

(Arvind Srivastava, J)

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