

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14986 of 2017

Arising Out of PS.Case No. -145 Year- 2016 Thana -VIDYAPATINAGAR District- SAMASTIPUR

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Abadhesh Rai @ Awadesh Rai, Son of Andulal Rai, resident of Village-
Simari, P.S.- Vidyapati Nagar, District- Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Surya Narayan Roy, Advocate

For the Opposite Party : Mr. Nirmal Kumar Sinha (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 19-05-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned counsel representing the
State.

The petitioner apprehends his arrest in connection
with Vidyapattinagar P.S. Case No. 145 of 2016, registered for the
offences punishable under Sections 341, 353, 427, 385, 506 of the
Indian Penal Code.

Allegedly, Meena Kumari Anganwari Sevika was
distributing T.H.R. at Angarwari Centre, the petitioner went there
and started looking register and further the petitioner kept the
register and proceeded from there which was protested then the
petitioner torn the register in so many pieces. Reason behind the
occurrence is that the petitioner has demanded Rs. 1000/- per
month then complaint was made to higher officials and S.D.M.,



Dalsingsarai has initiated a proceeding under Section 107 of Cr.P.C. against the petitioner that's why this occurrence has taken place.

Submission is of false implication and that the petitioner never demanded any ransom nor he torn the register, no case under Section 353 of the I.P.C. is made out, other sections are bailable and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of pre-arrest bail by submitting that the petitioner has torn the register and pieces of torn register has been seized in production-cum-seizure list, further the petitioner has suppressed his criminal antecedent, he is accused in Vidyapattinagar P.S. Case No. 94 of 2011 under Section 341, 323, 307, 379, 504/34 of the Indian Penal Code lodged by Moti Lal Rai and, as such, the petitioner does not deserves sympathetic consideration.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner and further that petitioner has suppressed his criminal antecedent in para 3 of this application and, as such, I am not inclined to grant privilege of pre-arrest to him and accordingly his such prayer



stands rejected in connection with Vidyapattinagar P.S. Case No.
145 of 2016, pending in the Court of learned A.C.J.M.-III,
Dalasing Sarai, District- Samastipur.

(Jitendra Mohan Sharma, J.)

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