

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11164 of 2017

Arising out of PS.Case No. -500 Year- 2016 Thana -JAHANABAD District- JEHANABAD

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Kunj Bihari Sharma, son of Gejendra Sharma, Resident of Village-
Korauna, P.S.- Jahanabad (Korauna O.P.), Distt- Jahanabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 18-04-2017 Heard both sides.

The petitioner apprehends his arrest in Jehanabad
P.S. Case No. 500 of 2016 registered for offences under Section
307 and other sections of the IPC.

Umesh Sao, the informant made a statement on
13.10.2016 that on 10.4.2016 while he was sleeping at his tea stall,
the petitioner Kunj Bihari Sharma and Ganesh Sharma came and
asked him to vacate the land. Petitioner Kunj Bihari Sharma
caught the informant and co-accused Ganesh Sharma inflicted
sickle blows. The informant got injuries on his nose and other
parts of the body. They also snatched sale proceeds from the
possession of the petitioner.

Learned counsel for the petitioner submits that the



occurrence took place on 04.10.2016 but the informant made statement on 13.10.2016. There is no explanation for such delay. On perusal of requisition for treatment of the informant, it would appear that the Police got information about the occurrence on 05.10.2016 itself but the Police lodged the case on 13.10.2016. It creates doubt about the genuineness of the FIR and the fardbeyan of the informant. There is every possibility that the informant and the Police might have concealed the First Information Report about the occurrence. But from perusal of the record, it would appear that at about 2:30 A.M. in the night when the informant was sleeping at his tea stall, the petitioner caught the informant and Ganesh Sharma inflicted blows causing altogether five injuries on different parts of the person of the informant.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail is rejected.

(Prabhat Kumar Jha, J)

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