

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48287 of 2018

Arising Out of PS. Case No.-436 Year-2018 Thana- BHABHUA District- Bhabhua (Kaimur)

Arjun Mishra @ Arjun Pandey, S/o Late Vijay Narayan Pandey, R/o Village-
Ruppur, P.S.- Bhabua, District- Kaimur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey
For the Opposite Party/s : Mr. Smt. Meena Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 31-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 342, 323, 504, 506, 307, 353 and 34 of the Indian Penal Code.

The prosecution case, in short, is that when the informant went to the place of occurrence in connection with investigation of a case, the accused persons assaulted him due to which he sustained injury.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. There is a case and counter case between the parties. Due to village politics, the petitioner has been made accused in the present case. From bare perusal of the F.I.R., it is



evident that there is no substantive evidence to suggest his implication in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.. The police had gone for investigation in respect to Bhabua P.S. Case No. 435 of 2018. In the said case, the petitioner and his family members were accused. The petitioner and his family members protested against the police, interfered in the investigation and assaulted the informant. The case diary bears the injury report of the informant.

Considering the aforesaid, I am not inclined to grant anticipatory bail to the petitioner. Prayer is rejected. However, if the petitioner surrenders in the Court below, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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