

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5859 of 2018

Arising Out of PS.Case No. -193 Year- 2017 Thana -AKBARPUR District- NAWADA

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Rohit Kumar S/o Vijai Prasad, R/o Vill.- Bareb, P.S.- Akbarpur, District-
Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh

For the Opposite Party/s : Mr. Murlidhar

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 01-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State as also counsel for the Informant.

In this case, the petitioner is apprehending his arrest
in connection with Akbarpur P.S. Case No. 193 of 2017 registered
for offences under sections 147, 148, 341, 323, 307, 448, 379, 337,
427, 504 and 506 of the Indian Penal Code.

In this case an allegation has been made the group of
persons including the petitioner has entered into the house of the
Informant and asked him to withdraw the title suit filed by him, on
refusal, they started assaulting.

There is a direct allegation against the petitioner to
have caused injury by Khanti upon Champa Devi.

Learned counsel for the petitioner has submitted that



there is a case and counter case from both sides and, as such, the petitioner deserves privilege of anticipatory bail. He has further submitted that the incident has taken place on 30.10.2016 but, the First Information Report has been lodged after a long delay i.e. on 3.9.2017.

The Informant has submitted that the First Information Report has been lodged that one Ajay Prasad @ Ajay Kumar has filed a Cr.W.J.C. No. 889 of 2017 and, during pendency of this case, the police has lodged the present case.

There were serious injury received by other persons in the family of the Informant and there is a direct allegation against the petitioner. In that view of the matter, at present, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner, namely, Rohit Kumar is rejected.

On surrender of the petitioner, the court below will pass orders on merit without being prejudiced by this order.

(Shivaji Pandey, J)

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