

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57037 of 2018

Arising Out of PS.Case No. -26 Year- 2018 Thana -PIPRA District- PATNA

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Antu Saw S/o Sri Binay Saw @ Vinay Kumar Gupta, R/v Sahwajpur, P.S.-
Pipra, Distt.- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Pipra P.S.Case No. 26 of 2018 registered under Sections 341,
323, 386, 504, 307 and 34 of the Indian Penal Code.

He had prayed for pre-arrest bail before the learned
Sessions Judge, Patna, which was rejected vide impugned order
dated 01.08.2018. In para-3 of the application before the court
below, it was stated that the petitioner has got no criminal
antecedent. However, when the case diary was called for, it
transpired that he had been made accused in at least two other
cases, vide Pipra P.S.Case No. 32 of 2015 registered inter alia
under Sections 384, 353 and 354 of the Indian Penal Code and
Pipra P.S.Case No. 27 of 2011 registered inter alia under Sections



307 and 380 of the Indian Penal Code. Considering the allegation of demand of *rangdari* from the informant by the petitioner and one another and the false statement made on oath, his application for grant of pre-arrest bail was rejected by the learned Sessions Judge.

Learned counsel for the petitioner submitted that under some confusion a wrong statement was made in para 3 of the bail application before the court below. However, there was no deliberate intent to mislead the court. He contended that now an amicable settlement has been arrived at between the parties and the informant of the case has already filed a compromise petition before the court below.

Be that as it may, considering the gravity of the offence and the nature of allegation made against the petitioner as also conduct of the petitioner and that the offences punishable under Sections 386 and 307 of the Indian Penal Code are not compoundable in nature, I am not inclined to grant him pre-arrest bail. Accordingly, the application for grant of pre-arrest bail is rejected.

(Ashwani Kumar Singh, J)

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