

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8014 of 2019**

Arising Out of PS. Case No.-172 Year-2018 Thana- CHENARI District- Rohtas

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Krishna Bind @ Krishna Kumar, Son of Siri Bind @ Shriram Vind, Resident
of Village - Datuli, P.S- Chenari, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwary
For the Opposite Party/s : Mr.Md. Mushtaque Alam

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 07-05-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Chenari P.S. Case No. 172 of 2018, registered under
Sections 341, 323, 324, 379, 333, 353, 427, 504 and 506 of the
Indian Penal Code, pending in the court of Chief Judicial
Magistrate, Rohtas at Sasaram.

The accusation is that in the evening of 09.08.2018,
informant being the Block Development Officer, Chenari, was
discharging his official duty sitting in the ODF room and
disposing the files related Toilet Scheme. At that time, petitioner
entered in the ODF room and started to search the applications
of Toilet Scheme. When the informant forbid then petitioner



started to abuse and caught hold his collar and tried to press his neck and also took cash of Rs.930/- from his pocket. At that time, petitioner also damaged the files and papers kept in the ODF room. On raising alarm, officials came there and save his life.

Learned counsel for the petitioner submits petitioner was appointed as ODF mobilizer under the scheme for constructing the Toilet and he received complaint about demanding Rs.2,000/- from per beneficiary by the Block Development Officer. Thereafter, he approached the Block Development Officer in his office and disclosed about the complaint then he was abused and he has falsely been implicated in this case. The petitioner has filed Complaint Case No. 800 of 2018 in the court of Chief Judicial Magistrate, Rohtas at Sasaram on 28.08.2018 regarding misbehave of the informant. It is further submitted that only witnesses, in paragaraph nos. 12 and 13, have supported the prosecution case, who have been made accused by the petitioner in the said complaint case.

Learned Additional Public Prosecutor opposed the prayer of pre-arrest bail of the petitioner and submits that the witnesses, in paragaraph 11, 12 and 13, have supported the



prosecution case, as detailed in F.I.R.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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