

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34637 of 2019

Arising Out of PS. Case No.-46 Year-2019 Thana- DERNI BAZAR District- Saran

=====

SOHAN SAH Son of Late Shankar Sah Resident of Village- Lohachha, P.S.-
Derni, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh
For the Opposite Party/s : Mr.Md. Matloob Rab

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 21-08-2019 This application, for grant of anticipatory bail,

arises out of Derni P.S. Case No. 46 of 2019 disclosing offences

under Sections 341, 323, 324, 307, 379, 34 of the Indian Penal

Code.

Prosecution case is that while the informant coming,

the accused persons stopped him in the way and started abusing

the informant and when the informant protested, co-accused

Ganesh Sah and Jitendra Sah caught him and Ganesh Sah

ordered to assault upon which, this petitioner gave three knife

blows to the informant causing injuries to him and co-accused

Jitendra Sah took away Rs. 2,000/- from the pocket of the

informant, thereafter, the informant was brought to Dariyapur

hospital from where he was referred to Hajipur Hospital and

due to which, he could not lodge the case earlier.



Submission of learned counsel for the petitioner that there is delay of four days in lodging of F.I.R. and further earlier to filing of the present case, a case has been lodged by the wife of the petitioner against the informant and others that they have entered into the house of the informant and tried to misbehave with the daughter of the informant and due to which, the present false case has been lodged.

Learned counsel for the State opposed the prayer for bail and submitted that altogether three injuries of knife blow has been found on the person of the informant.

Having heard both sides, considering the facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner may surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed .

(Vinod Kumar Sinha, J)

sunilkumar/-

U		T	
---	--	---	--

