

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39714 of 2019

Arising Out of PS. Case No.-76 Year-2019 Thana- BAIKUNTHPUR District- Gopalganj

SHRI KANT OJHA Son of late Jagarnath Ojha Resident of Village -
Sonwaliya, P.S.- Baikunthpur, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-08-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Baikunth Pur P.S.Case No.76 of 2019 registered for offences punishable under Sections 341, 323, 324, 307, 379, 504/34 of the Indian Penal Code.

Prosecution story is that the petitioner has forcibly taken L.T.I. on forged paper and assaulted her by fists and slaps and when his wife came to save him, the petitioner has assaulted by *Dab* to his wife causing injury to her and one Pushpa Devi has snatched a golden chain of Rs.50,000/- .

Submission of the learned counsel for the petitioner is that there is land dispute between the parties for which he has falsely been implicated in this case.

Heard learned A.P.P. , who has opposed the prayer for bail



on the ground that of the injuries of the wife of the informant was found to be grievous and the above allegation has been attributed against the petitioner. A case had earlier been filed by the petitioner's side against the informant also.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, if the petitioner surrenders before the learned court below and make prayer for regular bail, which will be considered by the learned court below on its own merit.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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