

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62196 of 2019

Arising Out of PS. Case No.-91 Year-2019 Thana- SHERGHATI District- Gaya

RAJESH KUMAR SINGH Son of Kauleshwar Singh Resident of Bajaura
Holy Public School, P.S.- Dobhi, Distt - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Neelam Singh Wife of Rajesh Kumar Singh Resident of Village - Mandraj
Bigha, P.S.- Delha, Distt - Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shivendra Prasad
For the Opposite Party/s	:	Mr.Choubey Jawahar
For the Informant	:	Mr. Binay Kant Mani Tripathi

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-10-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Sherghati (Dobhi) P.S.Case No.91 of 2019 registered for offences punishable under Sections 341, 323, 504, 506, 379 and 498(A)/34 of the Indian Penal Code.

As per the FIR, there is allegation against the petitioner, who happens to be husband of the informant of torturing her as he had illicit relationship with another lady and also of assaulting her. There is also allegation of trying to grab the school run by her and her son.

Submission of the learned counsel for the petitioner is that as a matter of fact there is dispute with respect to run the school and under Section 498(A) of the IPC, present case has been lodged and the petitioner has also been ousted from the school.



Heard learned A.P.P. and the learned counsel for the informant, who has opposed the prayer for bail on the ground that the impugned order shows that the petitioner has criminal antecedent also but he has not mentioned it in para 3 of the petition. .

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 the basis of the materials available on the record without being prejudiced by the order of this Court and if possible to be disposed of on the same day.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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