

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78754 of 2019

Arising Out of PS. Case No.-175 Year-2019 Thana- PAKRIDAYAL District- East Champaran

Upendra Sahani Son of Ram Ayodhya Sahni, Resident of Village - Sirha Tola
Katans, P.S.- Pakridayal, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Radha Mohan singh,Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 03-12-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking anticipatory
bail in connection with Pakridayal P.S. Case No. 175 of 2019
registered for the offences punishable under Sections 147, 148,
341, 323, 307, 504 and 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that both
the parties are agnate and are having old land dispute between
them and the present prosecution against the petitioner is
nothing but an act of harassing the petitioner and the grudge
against him as there is no material against him in whole of the
case.

Learned APP for the State has opposed the prayer for
anticipatory bail.



Considering the facts and circumstances of the case, wherein it appears that the allegation of assault by an iron rod upon the head of the mother of the informant which has caused some injury, I am not inclined to grant privilege of anticipatory bail to the petitioner.

In case, however, the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today, the same will be considered on its own merit and without being prejudiced by the order of this Court. The learned court below shall not reject the prayer for regular bail only because this Court has not granted anticipatory bail to the petitioner. The court below shall take into consideration the case and counter case and the fact that the injury on the head of the mother of the informant has been found to be simple in nature.

The application stands disposed off.

(Rajeev Ranjan Prasad, J)

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