

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32084 of 2020

Arising Out of PS. Case No.-168 Year-2019 Thana- BAHERI District- Darbhanga

Kishori Ram, S/o Jhoti Ram, R/o village- Dhanauli, P.S.- Baheri, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate.

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 02-03-2021 In view of the contents of paragraph 3 of the supplementary affidavit filed on behalf of the petitioner, in the cause title, the name of petitioner “Kishori Ram” be read as “Kishor Ram”.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Baheri P.S. Case No. 168 of 2019, registered under Sections 341, 342, 323, 307, 504 and 506/34 of the Indian Penal Code, pending in the court of Additional Chief Judicial Magistrate-IX, Darbhanga.

The accusation is that on the request of Jhoti Ram, informant Phulendra Ram gave cash of Rs.7,000/- to Jhoti Ram



on the occasion of marriage of his daughter. At that time, Jhoti Ram assured him to return the money after three months. Thereafter, on 02.07.2019, informant asked to Jhoti Ram to return the money but he did not take any heed. After passing over one year, on 03.07.2019, Jhoti Ram along with six others named in the FIR including the petitioner caught hold the informant and started to abuse. At that time, Kishor Ram (petitioner) and Ram Balak Ram assaulted the informant through iron rod causing injury at his head.

Learned counsel appearing for the petitioner submits that, in fact, due some dispute occurrence took place, in which, petitioner's side also sustained injury, regarding which, Baheri P.S. Case No.171 of 2019 is also instituted on the basis of Fradbeyan of co-accused, Ram Balak Ram against the informant of the present case and others. Further submission is that petitioner has no criminal antecedent.

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.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

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