

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51830 of 2023

Arising Out of PS. Case No.-352 Year-2022 Thana- GHOSI District- Jehanabad

=====

Amlash Ravidas S/O Rabindra Ravidas R/O Village- Chiry, Ps. Ghoshi, Dist.
Jehanabad

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 19-08-2023 Heard learned Counsel for the petitioner, learned
APP for the State and counsel for the informant.

2. The petitioner is apprehending arrest in a case registered for the offences punishable under Section 147, 148, 149, 341, 323, 307, 354 & 379 of the Indian Penal Code.

3. As per the prosecution, the allegation against the petitioner is that he was developing illicit relation with the informant's bhabhu (wife of younger brother). Upon oppose, he has assaulted the informant by iron rod and he has also been alleged to assault other persons.

4. Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that the present case has been filed in retaliation as petitioner's mother has filed a criminal case against the informant and others

which is Annexure-2 and with a view to defend himself from the said case which has been filed by the petitioner's mother, the present case has been instituted.

5. Counsel submits that antecedent of the petitioner is clean.

6. Learned APP for the State opposes the prayer for bail.

7. Counsel for the informant vehemently opposes the prayer for bail and submits that the scanned copy of *Vakalatnama* has already been filed through e-filing on 18.08.2023. Counsel for informant submits that his hard copy of *Vakalatnama* may be directed to be accepted today in the court itself along with the acknowledgment of e-filing.

8. Counsel for the informant submits that the statement made in Paragraph-3 of the bail petition that antecedent of the petitioner is clean, is absolutely wrong as the petitioner is accused of Section 302 of I.P.C. in connection with Ghoshi P.S. Case No. 48 of 2023 for which he has produced the certified copy of the F.I.R. along with order sheet.

9. In the facts and circumstances and the submissions made above, this Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Ghoshi P.S.

Case No. 352 of 2022 to the satisfaction of learned C.J.M.,
Jehanabad.

10. Accordingly, the prayer for anticipatory bail of the
petitioner stands rejected.

11. However, the learned Court below shall consider
the prayer for regular bail of the petitioner, if the petitioner
surrenders within a period of six weeks.

12. The present order shall not cause any prejudice to
the petitioner.

(Dr. Anshuman, J.)

prakashmani/-

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