

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 24957 of 2017

Arising Out of PS. Case No.-82 Year-2017 Thana- Patliputra District- Patna

Vickky Kumar, S/o Shri Umesh Singh, Resident of Chanchal Apartment,
Flat No. 305, Nehru Nagar, Police Station- Patliputra, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dipak Kumar

For the Opposite Party/s : Mr. Damodar Pd. Tiwary

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 21-09-2017 Heard Sri Dipak Kumar, learned counsel for the
petitioner and Sri Damodar Prasad Tiwary, learned Addl. Public
Prosecutor.

The sole petitioner, apprehending his arrest in
Patliputra P.S. Case No. 82 of 2017 registered for offence under
Sections 341, 342, 332, 333, 308, 307, 379, 427, 353/34 of the
Indian Penal Code and Section 45 of the Bihar Prohibition and
Excise Act, 2016, has prayed for grant of bail in the event of his
arrest or surrender.

It was alleged in the prosecution case that police had
apprehended one person, who had taken liquor and thereafter,
number of persons assembled there, assaulted the police
personnel and the person, who was apprehended, was got
forcibly freed.



Learned counsel for the petitioner has argued that save and except allegation that petitioner was one of the member of the said mob, there is no specific allegation against the petitioner. He has also argued that during investigation, no further material has been collected against the petitioner.

However, there is allegation against the petitioner that he was also one of the member of the mob, which has assaulted the police and forcibly freed an accused, who was arrested as well as there is antecedent of the petitioner, which has been mentioned in paragraph – 3 of the petition, which suggests that he was also accused in following cases:-

“(i) Patliputra P.S. Case No. 01 of 2016 for offence under Sections 341, 342, 323, 504, 308, 379/34 of the Indian Penal Code,

(ii) Budha Colony P.S. Case No. 105 of 2013 for offence under Sections 307, 447, 120B/34 of the Indian Penal Code and Section 27 of the Arms Act, 1959,

(iii) Kotwali P.S. Case No. 308 of 2007 for offence under Sections 25(1-b)a, 26, 35 of Arms Act, 1959, and

(iv) Jakkanpur P.S. Case No. 40 of 2005 for offence under Sections 386, 308/34 of the Indian Penal Code and Section 27 of the Arms Act, 1959.”



Considering the aforesaid fact, I am of the opinion that
there is no reason to extend the privilege of anticipatory bail.
Dismissed.

(Rakesh Kumar, J.)

anay

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

