

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.40231 of 2018**

Arising Out of PS.Case No. -66 Year- 2017 Thana -HABIBPUR District- BHAGALPUR

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Ramu Choudhary, Son of Shibu Choudhary, Residents of Karari Bazaar,  
P.S. Habibpur, District- Bhagalpur.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mrs. Anita Kumari Singh, Advocate.

For the Opposite Party/s : Smt. Renuka Ratnakar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3      29-08-2018                      Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Habibpur P.S.**

**Case No. 66 of 2017** instituted for the offence under Sections 147,  
148, 149, 353, 337 and 333 of the Indian Penal Code pending in  
the court of **Additional Chief Judicial Magistrate-XII,**  
**Bhagalpur.**

It is alleged in the written report that on the date of  
occurrence the informant along with other Police party proceeded  
towards *Karori Bazar* for patrolling duty. They conducted raid in  
hotel of Shibu Choudhary at Karori Bazar Mohalla and thereafter  
proceeded towards the house of Jagdeo Choudhary. The police  
personnel reached near the house of Jagdeo Choudhary, then huge  
crowd headed by the petitioner assembled there and protested for



raid conducted in the house of Jagdeo Choudhary for recovery of illicit liquor. It is alleged that on the order of petitioner, 26 F.I.R. named accused persons (including petitioner) and some unknown persons surrounded the police party. Petitioner started throwing brick upon the informant which hit on his face. Co-accused Illu Choudhary assaulted one Havaldar namely Jhulan Kumar with *lathi* and co-accused Anand Choudhary assaulted Sumesh Kumar (Constable) with *lathi*. All the accused persons started pelting bricks and stones upon the police party. After seeing the police force, the entire mob started fleeing away from there and in such manner, their lives were saved.

Counsel for the petitioner has submitted that informant has sustained simple injury on his person.

The injury report of the informant has been enclosed as Annexure-2 wherein the Doctor has found multiple pointed abrasion over face near lateral end of right eye bruise measuring 1 cm x -0.3 cm. The Doctor has opined the injury to be simple in nature, but the injury corroborates the allegation against the petitioner that he assaulted the S.I of the Police who had gone to conduct raid.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.



Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the court below and make prayer for regular bail.

**(Sanjay Priya, J)**

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