

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.590 of 2019

Arising Out of PS. Case No.-23 Year-2018 Thana- CHAUTHAM District- Khagaria

=====

Amar Kumar, Son of Indradeo Rajak, Resident of Village-Tellouch, P.S.
Chautham, Distt.-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Adv.

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 17-01-2019 The petitioner seeks bail in anticipation of his

arrest in connection with Chautham P.S. Case No. 23 of

2018, dated 13.02.2018, instituted for the offences under

Sections 147, 186, 224, 225, 332, 341, 323, 353, 504 and

506 of the Indian Penal Code.

The petitioner, who is an accused in two other
cases, was attempted to be arrested by the police party,
when his supporters managed to have him rescued from the



clutches of the police. Hence, the aforesaid F.I.R.

Mr. Ramakant Sharma, learned Senior Advocate appearing for the petitioner has submitted that now the petitioner has been granted bail in the aforesaid two cases for which he was attempted to be arrested. He has further submitted that there was no arrest of the petitioner and the present case is only the imagination and machination of the local police, who is inimically disposed towards the petitioner. The petitioner is an Ex-*Mukhiya* and at the moment, his wife is the serving *Mukhiya*. On these grounds, it has been urged on behalf of the petitioner that he deserves to be enlarged on anticipatory bail.

In support of the aforesaid contention, Mr. Sharma, learned Senior Advocate, has also pointed out that some of the relatives of the petitioner, who were made accused in this case with the charge of helping the petitioner come out of the custody of the police, have been granted anticipatory bail. One such accused person has been granted regular bail.

Since the petitioner was not on bail in the two



earlier cases for which he was attempted to be arrested and in which case he was made to escape from the custody of police, I am not inclined to grant the petitioner the privilege of anticipatory bail.

The prayer for grant of anticipatory bail of the petitioner is, accordingly, rejected.

However, if the petitioner surrenders before the Court below and seeks regular bail, the Court below shall take into account the political background of the petitioner; consequently the possibility of false implication of the petitioner in many cases, that all other persons have been granted bail in this case and that the petitioner himself has been granted bail in the aforesaid two cases for which he was attempted to be arrested and shall, thereafter, pass orders in accordance with law on its own merits, without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

(Ashutosh Kumar, J)

Praveen-II/-

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

