

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28083 of 2020**

Arising Out of PS. Case No.-458 Year-2019 Thana- CIVIL LINE District- Gaya

Dilip Bharti (Male), aged about-35 years, son of Late Dinesh Bharti @
Dhanesh Bharti, resident of Mohalla- Pita Maheshwar, Police Station- Civil
Lines, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Advocate
For the State : Dr. Kumar Uday Pratap, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT**

Date : 29-01-2021

Heard Mr. Manish Kumar No.2, learned counsel for
the petitioner and Dr. Kumar Uday Pratap, learned Additional
Public Prosecutor (hereinafter referred to as the 'APP') for the
State.

2. The petitioner apprehends arrest in connection with
Civil Lines PS Case No.458 of 2019 dated 09.10.2019,
instituted under Sections 147/ 148/ 149/ 323/ 341/ 504/ 506/
353/ 379/ 307/ 332/ 333 of the Indian Penal Code.

3. The allegation against the petitioner and four
named and 10-15 unknown persons is of attacking the police by
lathi, danda and stick. Further, specifically against the petitioner
is of snatching the purse of a policeman in which there was cash
Rs.3200/- and important documents.



4. Learned counsel for the petitioner submitted that the name taken by the police of five persons itself raises doubt about the veracity of the allegation as in a mob, identification is difficult. It was further submitted that the petitioner has no criminal antecedent and the general and omnibus allegation is of attacking the police party. Learned counsel submitted that co-accused, Rajesh Ram, has been granted anticipatory bail on 20.01.2021 in Cr. Misc. No.31527 of 2020.

5. Learned APP submitted that the police was attacked and the identification of the petitioner has been made as he was resident under the same police station. It was submitted that the allegation against, Rajesh Ram, who has been granted anticipatory bail, is general and omnibus, but with regard to the petitioner it is specific of snatching Rs.3200/- and important documents from the police personnel. It was further submitted that injuries have also been found on a constable. Learned counsel submitted that the petitioner and others attacking a police party is a brazen show of confrontation with the administration which sends wrong signal to the masses at large.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the



Court is not inclined to grant pre-arrest bail to the petitioner.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

J. Alam/-

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