

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36098 of 2020

Arising Out of PS. Case No.-838 Year-2019 Thana- DANAPUR District- Patna

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Pintu Kumar @ Chain Kumar @ Satya Narayan Kumar Son Of Dina Nath
Rai Resident Of Village - Tarachak, P.S. - Danapur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh- Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh- A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 06-07-2021 Heard Mr. Krishna Kant Singh, the learned Advocate

for the petitioner and Mr. Sanjay Kumar Singh, the learned APP

for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Danapur P. S. Case No.838 of 2019, instituted for the offences under Sections 341, 323, 325, 302, 120(B) read with section 34 of the Indian Penal Code.

The accusation in the F.I.R. is that the brother of the informant was assaulted by the petitioner and others while he was coming back from the market. The petitioner and others are said to have assaulted the deceased by means of lathi, danda etc.

The learned Advocate for the petitioner has submitted that the accusation against him is general and omnibus. Nothing specific has been attributed against him. The deceased himself



was a veteran criminal, having four cases against him, and the possibility of his having been killed by his enemies cannot be ruled out.

The learned Advocate for the petitioner has also drawn attention of this Court to the fact that the implication of the petitioner in the present case is only with a motive to pressurize the withdrawal of Danapur P. S. Case No.837 of 2019 which has been lodged against the informant of this case.

It has also been argued on behalf of the petitioner that the informant is not an eye witness to the occurrence and was only informed that the petitioner and others had participated in the occurrence.

There is a counter-version of the occurrence as well.

None of these grounds weigh with this Court for granting anticipatory bail to the petitioner who has been named in the F.I.R. and has been alleged to have assaulted the deceased along with other accused persons.

The prayer for anticipatory bail of the petitioner is rejected.

However, if the petitioner surrenders before the Court below and seeks bail, the Court below shall consider the case 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)

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