

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24594 of 2022

Arising Out of PS. Case No.-165 Year-2020 Thana- GAURICHAK District- Patna

GAURAV KUMAR @ GAURAV BHARTI S/o Shashi Bhushan Singh
Resident of Village- Hander, P.S.- Gaurichak, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishan Jha
For the Opposite Party/s : Ms. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 01-11-2022 Heard learned counsel for the petitioner, learned APP
for the State as well as learned counsel appearing on behalf of the
informant.

The petitioner apprehends his arrest in connection with
Gaurichak P.S. Case No.165 of 2020, registered for the offences
punishable under Sections 341, 447, 323, 354, 379, 504, 506 and
34 of the Indian Penal Code.

The petitioner and co-accused, Shashi Bhushan Singh
are said to have assaulted the informant and his mother. The
accused persons are also said to have snatched a chain made of
gold from the informant. It is alleged that the petitioner pressed the
neck of the informant.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. It is further submitted that the allegations are general and omnibus in nature. It is submitted that the petitioner has got three criminal antecedents as stated in paragraph-3 of the bail petition. Learned counsel for the petitioner submits that there is land dispute between the parties and a title suit is going on between them being Title Suit No.230 of 2019.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail of the petitioner and submitted that the petitioner has got five criminal antecedents. It is further submitted that there is specific allegation against the petitioner that he pressed the neck of the informant.

Vide order dated 30.08.2022, case diary of the present case was called for. On 20.10.2022, the Investigating Officer of this case was directed to be personally present in Court on 01.11.2022. The Investigating Officer of the present case is present in Court.

In paragraph-59 of the case diary, the I.O. has recorded that the petitioner has got only one criminal antecedent being Gaurichak P.S. Case No.165 of 2020, but the learned counsel for the informant submits that the petitioner has got five criminal antecedents.

However, after the order dated 20.10.2022, passed by this Court, the I.O. of the concerned case has submitted the



supplementary case diary in which he has stated about the other criminal antecedents of the petitioner. This shows that the I.O. of the concerned case did not investigate the case properly or has concealed the criminal antecedent of the petitioner with dishonest intention.

Considering the facts that there is land dispute between the parties and both sides are agnates, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Patna City in connection with Gaurichak P.S. Case No.165 of 2020, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

The Senior Superintendent of Police, Patna is directed to take appropriate legal action against the I.O. of the present case and inform this Court about the action taken by him against the concerned I.O.

(Anjani Kumar Sharan, J)

Sanjay/-

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

