

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37710 of 2022

Arising Out of PS. Case No.-708 Year-2021 Thana- SHERGHATI District- Gaya

ROCKY KUMAR SON OF OM PRAKASH PRASAD @ OM PRAKASH @
RAJU MISTRI R/O VILLAGE- DOBHI, P.S.- DOBHI, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan

For the Opposite Party/s : Mr. Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

The petitioner apprehends his arrest in a case registered
for the offence punishable under sections 341, 323, 308, 504,
506, 379/34 of IPC.

Allegedly, the informant, her mother and her sister got
injured by the splinters of crackers blasted by the petitioner. On
raising objection, the petitioner pushed the mother of the
informant on ground and assaulted her.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in



the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is a delay of two days in lodging the FIR creates doubt about the prosecution case. There is no specific overt act against the petitioner. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that there is a specific allegation against the petitioner, which is also clear from the impugned order and also the injuries are grievous in nature.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner named above on bail. The prayer for grant of anticipatory bail on behalf of the petitioner is rejected.

This instant application is dismissed.

(Anjani Kumar Sharan, J)

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