

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52585 of 2021

Arising Out of PS. Case No.-163 Year-2021 Thana- BIHIA District- Bhojpur

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ASHOK KUMAR @ MANTU @ ASHOK KUMAR RAM S/o- Subedar
Ram Resident of Village- Mishrouli, P.S.- Bihiya, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Praveen Kumar, Advocate
For the Informant	:	Mr. Vikramdev Singh, Advocate
		Mr. Shiv Prasad Gupta, Advocate
For the State	:	Mrs. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner undertakes to
remove the defects, as pointed out by the office, within four
weeks. In the eventuality of non-removal of defects within
undertaken period, the office will place the matter before the
Bench.

The petitioner apprehends his arrest in Bihiya P.S.
Case No. 163/2021 registered for the offences punishable under
Sections 147, 341, 323, 379, 504 & 506 of the Indian Penal
Code but later on Section 302 IPC was added pending in the
Court of learned A.C.J.M.-I, Bhojpur.

The accusation against the petitioner is that he



assaulted the brother of the informant by means of lathi on his head and sustaining injury he fell down and lastly died.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is case and counter case between the parties. Petitioner has no criminal antecedent.

Learned counsel for the informant and learned APP for the State vehemently opposing the bail petition submitted that there is direct allegation of assaulting the informant's brother against the petitioner due to which he died, hence he does not deserve anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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