

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45557 of 2022

Arising Out of PS. Case No.-146 Year-2020 Thana- SILAO District- Nalanda

GUDDU KUMAR Son of Shri Shivashankar Yadav @ Tantan Yadav @
Shankar Yadav Resident of Village - Kamdarganj, P.S.- Silao, District -
Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Kumar

For the Opposite Party/s : Mr. Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-12-2022 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 connection with
Silao P.S. Case No.146 of 2020, registered for the offence
punishable under sections 147, 148, 379, 307, 504, 354, 506,
427, 436 of the Indian Penal Code.

Allegedly, the petitioner alongwith other co-accused
persons assaulted the informant and his family by means of rod
causing injury to them and they also set his hut on fire, which
resulted in burning of his buffalo.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and have 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 no specific overt act against the petitioner. During the course of investigation no legal evidence has been collected by the prosecution. He further submits that in para-25 of the case diary it is mentioned that Gautam Kumar and Manisha Kumari had not gone to hospital or before any doctor for treatment. Petitioner has no criminal antecedent, which is also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that the petitioner including other accused persons assaulted the son of the informant and he sustained injury over mid of his head in size of 2”X2” mm skin deep. The accused persons set on fire in the hut of the informant, resulted in burning of his buffalo. He further submits that there is ample evidence available against the petitioner in the case diary, which is also apparent from the impugned order.

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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