

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57122 of 2021

Arising Out of PS. Case No.-115 Year-2019 Thana- RUPASPUR District- Patna

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Dipu Kumar @ Deepu Kumar, S/O Ramdev Das R/O Village- Dariyapur,
P.S.- Janipur, P.O.- Sorampur, Distt.- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Navin Kumar

For the Opposite Party/s : Mr. Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 341,
323, 307, 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that on 05.03.2019 at 7.30 P.M., when his son was
coming back her home, when 5-10 culprits surrounded him,
assaulted him and left him almost in a lifeless state. It is further
alleged that Sumit Kumar and Pappu Kumar were the main
culprits along with some unknown accused, who committed the
occurrence. Thereafter, the victim was taken to hospital.

The learned counsel for the petitioner submits that



petitioner is not named in the F.I.R. His name transpired during the course of investigation. The learned counsel further submits that the victim also in his statement has taken the name of the petitioner. The learned counsel next submits that as far as causing assault leading to injury is concerned, that is against Sumit Kumar and Pappu Kumar.

Learned A.P.P. opposes the bail application and submits that the informant may not be knowing all the accused persons, but since the victim in his statement before the police as submitted by the learned counsel for the petitioner has taken the name of the petitioner also that he was also involved in the occurrence.

Considering the submissions made by the learned Additional Public Prosecutor, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

Accordingly, his prayer for anticipatory bail application stands rejected.

However, in the event, if the petitioner surrenders before the learned Court below in between 11.07.2022 to 22.07.2022, the learned Court below, if possible, shall dispose of the case on the same day considering the fact that the petitioner is not named in the F.I.R. and the thrust of allegation



is against Sumit Kumar and Pappu Kumar.

(Satyavrat Verma, J)

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