

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4614 of 2023

Arising Out of PS. Case No.-208 Year-2022 Thana- GOPALPUR District- Patna

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Amit Kumar, S/o Ajeet Rai @ Aditya Kumar, R/o Bairiya, P.S.- Gopalpur,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-04-2023 Heard learned counsels for the petitioner and the

State.

Petitioner apprehends arrest in case registered for the
offences punishable under Sections 147, 149, 341, 323, 302 of
the Indian Penal Code.

As per prosecution case, on the alleged date and time
of the occurrence, this petitioner along with other F.I.R. named
accused persons armed with lathi, danda, forcibly entered into
the house of the informant and thereafter, informant and her
mother-in-law were subjected to assault by the accused persons
as a result of which, mother-in-law of the informant succumbed
to death.

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



present case. He next submits that specific allegation of assault is against co-accused Ajit Rai and Ankit Kumar and so far this petitioner is concerned, allegation against him is general and omnibus. He further submits that similarly situated co-accused persons have already been granted anticipatory bail by co-ordinate Bench of this Court vide order dated 06.01.2023 passed in Cr. Misc. No. 48747 of 2022.

Learned counsel for the State opposes the prayer for bail application and submits that petitioner is named in the F.I.R., participated in the occurrence due to which mother-in-law of the informant died and has got five criminal antecedents.

Considering the nature of accusation and criminal antecedents, prayer for anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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