

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2053 of 2023

Arising Out of PS. Case No.-867 Year-2022 Thana- LAKHISARAI District- Lakhisarai

1. RAMDAYAL YADAV S/o Late Prabhu Yadav R/o Village- Shanti Complex Gali, near Asthghati, Pokhar, Naya Bazar, Lakhisarai, P.S.- Lakhisarai (Kabaiya), Distt- Lakhisarai.
2. Rajesh Kumar S/o Ramdayal Yadav R/o Village- Shanti Complex Gali, near Asthghati, Pokhar, Naya Bazar, Lakhisarai, P.S.- Lakhisarai (Kabaiya), Distt- Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The South Bihar Power Distribution Company Ltd. Patna. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Adv Mr. Manoj Kumar
For the Opposite Party/s :		Mr. Nawal Kishore Prasad Mr. Ajay Kumar Gautam

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-05-2023 Heard the parties.

The petitioners apprehend their arrest in connection with Lakhisarai (Kabiya) P.S. Case No.867 of 2022, registered for the offence punishable under Sections 447, 341, 323, 353, 504/34 of the Indian Penal Code.

The allegation against the petitioners is of assaulting Government employee and causing hinderance in discharging of official duty.

It is submitted by learned senior counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such



occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He further submits that nobody was injured and nobody has assaulted government employee. There is no independent witness in the alleged occurrence. Petitioners have no criminal antecedent.

Learned APP for the State as well as learned counsel for the South Bihar Power Distribution Company Ltd. Patna. opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

Accordingly, this application is dismissed.

However, if the petitioners surrender before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law, considering the fact that the petitioner has no criminal antecedent.

(Anjani Kumar Sharan, J)

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