

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4539 of 2023**

Arising Out of PS. Case No.-3 Year-2022 Thana- KOILWAR District- Bhojpur

AKHILESH KUMAR @ AKHILESH SINGH S/O SHIV SAGAR RAI R/v-
Manachak, P.S.- Koiolwar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 14-03-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Koliwar
P.S. Case No. 03 of 2022 registered for the offences punishable
under Sections 147, 148, 149, 323, 307, 504, 379, 120(B) and
427 of the Indian Penal Code and Section 27 of the Arms Act
pending in the Court of learned C.J.M., Bhojpur at Ara.

Allegation against the petitioner is that he along
with other accused persons came at the informant's office and
abused him, fired from gun and assaulted him by butt of the
pistol and looted 8-10 lakhs, laptop, printer and damaged
articles like tables, chairs etc..

Learned counsel for the petitioner submits 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. He submits that there is no specific overt act against the petitioner. The petitioner has got no criminal antecedent as mentioned in para-3 of the bail application.

Learned APP for the State opposes prayer for bail and submits that there is specific overt act against the petitioner and he is engaged in illegal mining and extorted money. Hence, he does not deserve privilege of anticipatory bail.

Considering the facts and circumstances of case and the nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail in connection with Koliwar P.S. Case No. 03 of 2022.

The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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