

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9230 of 2023

Arising Out of PS. Case No.-55 Year-2022 Thana- NALANDA District- Nalanda

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MONU @ MONU KUMAR S/O MADHO PRASAD Resident of Village-
Niyamatnagar P.S.- Dharahara, District- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Prasad, Adv.

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Nalanda P.S. Case No.55/2022, registered for the offence
punishable u/s 147, 149, 341, 323, 307, 302 of the IPC.

As per the prosecution case, the informant and his friend
stole battery of three tempos and hidden in bush, where after,
the named co-accused persons came to the room of informant
and assaulted him and took in the village Sabbait. On the
allegation of theft of batteries of tempo, friend of informant
namely Karu was called and they both were assaulted by the
petitioner and others. Karu was declared dead when brought to
hospital.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has 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 leveled against the petitioner is not specific rather general and omnibus in nature. There is no eye-witness to the alleged occurrence and only on suspicion, the name of petitioner transpired in this case. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail by submitting that several injury was found on the body of the deceased and petitioner is also alleged to have been involved in assaulting the deceased, which is clear from the case diary.

Having regard to the facts and circumstances of the case and considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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