

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5015 of 2023

Arising Out of PS. Case No.-555 Year-2021 Thana- DAUDNAGAR District- Aurangabad

ARVIND KUMAR Son of Nagendra Yadav Resident of village- Bhartipur,
P.S.- Pauthu, District- Aurangabad(Bihar) 824122

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Anand

For the Opposite Party/s : Mr. Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 353, 379, 307 and 427 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, the informant and other police personnel seized a vehicle loaded with illegal sand near Bhagwan Bigha which infuriated the local people. Following this they started abusing the police personnel and attacked them in order to release the said tractor from their custody and the accused persons succeed to fled away with tractor. In this attack two constables sustained injury. During the incident video was being recorded by the Police in which petitioner was also identified.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the only on suspicion the petitioner is



made accused in the present case. He submits that there is no specific overt act against the petitioner. He further submits that injury found upon the victim is simple in nature. He submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submitted that the allegation levelled as the petitioner is serious in nature. Hence, he does not deserve anticipatory bail.

Considering the nature of the offence, I am not inclined to enlarge the petitioner on bail in connection with Daudnagar P.S. Case No. 555/2021. Accordingly, his prayer for anticipatory bail is hereby rejected.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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