

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7944 of 2023**

Arising Out of PS. Case No.-231 Year-2022 Thana- BARHARIA District- Siwan

UDAY KUMAR @ UDAY KUMAR RAM S/O CHANDESHWAR RAM  
Resident of village- Babhanbara, P.S.- Barharia, District- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Harendra Prasad  
For the Opposite Party/s : Mr.Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      18-04-2023                      Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in a case registered for the offence punishable under sections 307/353/427/ 332/ 333/ 504 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, all the FIR named accused persons including this petitioner and 35 to 40 unknown persons surrounded the police party and forcibly got released a warrantee from the police custody. Petitioner and other accused persons snatched police rifle and damaged it. They pelted stones on the police party and damaged their vehicles.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner and petitioner has been implicated in this case on the



basis of identification of the Chaukidar. Similarly situated co-accused has already been allowed bail by a co-ordinate bench of this Court vide order passed in Cr.Misc.No. 56220/2022. Petitioner has got no criminal antecedent.

Learned counsel appearing for the State opposes the prayer for bail. He submits that there is specific allegation against the petitioner that he assaulted the police men, snatched their rifle, damaged it and got released warrantee from the police custody.

Considering the nature and gravity of offence, prayer for bail of the petitioner is refused.

**(Prabhat Kumar Singh, J)**

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