

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23484 of 2023

Arising Out of PS. Case No.-34 Year-2021 Thana- NAYAGAON District- Begusarai

Aman Kumar S/O Santu Roy Resident of Village- Dariyapur, P.S.- Nayagaon,
District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Randhir Kumar No.1, Advocate
For the Opposite Party/s : Mr.Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-06-2023 Heard the learned counsel for the
petitioner and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Nayagaon P.S. Case No.34 of 2021, registered for offences under Sections 341, 323, 504, 353, 354-A, 224/34 of the IPC.

The case of the prosecution, in brief, according to the informant, is that on 19.07.2021, the police officials from the Barahat Police Station, District- Banka had come to his police station and requested him to provide assistance for arresting the petitioner, who is an accused in a case bearing Banka (Barahat) P.S. Case No.154 of 2021,



whereafter the informant along with his police force had reached at the shop of one Santu Roy, where the petitioner was present, and then they had arrested the petitioner, however, suddenly, the accused persons total six in number had surrounded the police vehicle whereupon they started abusing and assaulting the police force with fist and slaps as also had misbehaved with the lady constables and then they managed to free the petitioner from the clutches of the police and take him away along with them. It is also alleged that the petitioner had also engaged in assaulting the police force.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. The learned counsel for the petitioner has further submitted that the petitioner is stated to be an accused in one another criminal case. The learned counsel for the petitioner has also submitted that the petitioner has not engaged in any sort of overtact.



Per contra, the learned APP for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

Having regard to the facts and circumstances of the case and taking into account the materials available on record as also considering the fact that the petitioner has *prima facie* committed an offence, which is serious in nature, inasmuch as he along with other co-accused persons had assaulted the police force and fled away from police custody, I do not find the present case to be a fit case for grant of anticipatory bail, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

kanchan/-

U		T	
---	--	---	--

