

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41247 of 2023**

Arising Out of PS. Case No.-170 Year-2022 Thana- KUSHESHWARASTHAN District-  
Darbhanga

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OM PRAKASH MUKHIYA SON OF SRI RAJ KUMAR MUKHIYA  
RESIDENT OF VILLAGE- LAKSHMINIYA, PS- KUSHESHWAR  
ASTHAN, DISTT- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                    |   |                                                                   |
|--------------------|---|-------------------------------------------------------------------|
| For the Petitioner | : | Mr. Ajay Kumar Thakur, Advocate<br>Mrs. Vaishnavi Singh, Advocate |
| For the State      | : | Mr. Dilip Kumar No.1, APP                                         |
| For the Informant  | : | Mr. Saurav Barial, Advocate                                       |

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

4      05-10-2023      Heard Mr. Ajay Kumar Thakur, learned counsel for the  
petitioner and Mr. Dilip Kumar No.1, learned A.P.P. for the State  
assisted by learned counsel for the informant.

2. The petitioner apprehends his arrest in Kushehwar Asthan  
(Tilkeshwar O.P.) P.S. Case No. 170 of 2022 registered for the  
offences punishable under Sections 147, 148, 149, 341, 323,  
307, 302, 379, 504 & 506 of the Indian Penal Code.

3. \_The petitioner in association of other co-accused is said to  
have assaulted the husband of the informant and others and  
they have also committed other offences in the manner as  
mentioned in the F.I.R.

4. It is submitted by learned counsel for the petitioner that no



such occurrence as alleged ever took place. He has been falsely implicated in this case on account of enmity and political grudge. The allegation levelled against the petitioner is not specific rather general and omnibus in nature.

5. Learned APP for the State assisted by learned counsel for the informant vehemently opposing the bail petition submitted that the injury sustained by the victim has been found grievous in nature, hence the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of case and the gravity of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. 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 seek 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)**

Trivedi/-

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