

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50414 of 2023

Arising Out of PS. Case No.-104 Year-2023 Thana- KHANPURA District- Samastipur

AMARJEET KUMAR Son of Ram Kishor Ray R/V- Bhola Tol, Ward No.- 6,
P.S.- Khanpur, District - Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar, Advocate

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Khanpur P.S. Case No.- 104 of 2023 registered for the offences punishable under Sections 341, 323, 353, 224, 504, 506/34 of the Indian Penal Code. He has got no criminal antecedent.

3. Learned counsel for the petitioner submits that on 12.04.2023 when the informant left the police station with the police force to take action against the accused Jitendra Kumar, the petitioner who is Mahal Chaukidar prevented the police party from discharging their official duty and in course of raid this petitioner caught the waist of police constable thereby helping his brother- Jitendra Kumar to escape from the clutches of the police party.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner has got no criminal antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the nature of allegations in which this petitioner is said to be the Mahal Chaukidar who helped his brother Jitendra Kumar in fleeing away from the catch of the police party and the petitioner has allegedly created physical obstruction for the police party who was trying to chase the brother of the petitioner to catch hold of him, this Court having noticed that this petitioner being in the position of trust with the police party has indulged in the alleged act, therefore, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

7. The prayer for anticipatory bail of the petitioner is refused.

8. This application stands disposed of.

(Rajeev Ranjan Prasad, J)

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