

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56501 of 2022

Arising Out of PS. Case No.-40 Year-2020 Thana- KAMTAUL District- Darbhanga

SHIV SHAKTI THAKUR @ SHIV SHAKTI KUMAR SON OF BARUN
THAKUR R/O VILLAGE- CHAKKA PIDDI, P.S.- BAHADURPUR
(FEKLA OP), DISTRICT- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav Mr. Ravi Prakash Mr. Rajesh Kumar
For the Opposite Party/s	:	Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-01-2023 Heard the parties.

The petitioner apprehend his arrest in connection with Kamtaul P.S. Case No.40 of 2020, registered for the offence punishable under Sections 341, 323, 324, 307, 379, 504, 506, 325, 34 of the Indian Penal Code.

The allegation against the petitioner is that the petitioner alongwith other co-accused persons assaulted the informant and his friend by means of several weapons due to which both of them sustained grievous injuries. It is further alleged that the petitioner has taken away the motorcycle of the informant.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He



has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the injury sustained by the informant is not on vital part of the body. He further submits that similarly situated co-accused has been granted anticipatory bail by a co-ordinate bench of this Court vide order dated 23.05.2022 passed in Cr. Misc. No.35686 of 2021. Petitioner has three criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, as the injuries are grievous in nature, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

shikha/-

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

