

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58500 of 2023

Arising Out of PS. Case No.-295 Year-2023 Thana- DAUDNAGAR District- Aurangabad

Abhay Chaudhary @ Abhay Kumar S/o- Jay Prakash Chaudhary, Resident of
Village- Baluganj Ward no-5, P.S.- Daudnagar Dist- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Purushotam Sharma, Adv.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 13-09-2023 Heard learned Counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Daudnagar P.S. Case No.295 of 2023 dated 18.05.2023, lodged under Sections 147, 148, 149, 341, 323, 302, 120(B) of the Indian Penal Code.

3. As per prosecution case, the F.I.R. has been lodged against four named and five unknown accused persons. The allegation is that the accused Som Chaudhary has assaulted by iron rod to the brother of the informant and the petitioner and one Devanand Paswan have assaulted by iron rod, by which he was brutally injured. During treatment, the brother of the informant was referred to Daudnagar and later on he died.

4. Learned counsel for the petitioner submits that petitioner is innocent and has not committed any offence. He further submits that antecedent of petitioner is clean, he is a



student and pursuing his study at District Aurangabad and under village politics the name of petitioner has been figured in this case. He also submits that antecedent of petitioner is clean.

5. Learned A.P.P. for the State opposes the prayer for bail and submits that from the F.I.R., it transpires that there is a specific allegation against the petitioner to assault the deceased on his head.

6. In the present facts and circumstances and the submissions made above, this Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Daudnagar P.S. Case No.295 of 2023 to the satisfaction of learned S.D.J.M., Daudnagar.

7. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

8. However, the learned Court below shall consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of four weeks.

9. The present order shall not cause any prejudice to the petitioner.

(Dr. Anshuman, J.)

Ritik/-

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

