

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56586 of 2022

Arising Out of PS. Case No.-94 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Deepak Kumar @ Deepak Singh @ Dipak Kumar Singh @ Dipak Kumar S/O
Bhola Singh Resident of Village- Wajitpur (Bazidpur), P.S.- Muffasil,
District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance:

For the Petitioner : Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-01-2023 Heard Mr. Sandip Kumar Gautam, learned counsel for the

petitioner and Mr. Damodar Prasad Tiwary, learned APP for the

State.

The petitioner apprehends his arrest in connection with
Muffasil P.S. Case No. 94 of 2020 for the offence registered
under Sections 341, 323, 379, 324, 307, 34 of the Indian Penal
Code.

As per the prosecution story, the informant alleged that he
drives e-rickshaw which is his only source of income and when
he was at Begusarai station searching for passenger, these two
accused according to the petitioner's hearing came and sat on
his e-rickshaw in a drunken state and in the midnight they asked
him to stop e-rickshaw at Wajitpur pond and left without paying

the fare. When he approached them for fare, he was assaulted and they fled away with e-rickshaw. Further, due to assault by pistol over the head, he received injuries.

Learned APP for the State opposes the prayer for bail.

Considering the kind of allegation that has come against the petitioner who in a drunken state firstly refused to pay the fare and also took the e-rickshaw, the only source of livelihood of the informant, this Court is not inclined to extend the privilege of anticipatory bail, which is accordingly rejected.

If, however, the petitioner surrenders within four weeks from today and files bail petition, the Court shall consider the fact that there is delay in lodging the F.I.R. as also that the injury has been found to be simple in nature and disposed of the bail petition expeditiously.

(Rajiv Roy, J)

Shahnawaz/Vats-

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