

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65638 of 2023

Arising Out of PS. Case No.-74 Year-2023 Thana- JAMALPUR District- Darbhanga

Rama Kant Yadav, S/O Late Mahavir Yadav, Resident of Village-Palwa, P.O. Nadiyami, PS Jamalpur Dist Darbhanga, State- Bihar, Pin 847203.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Ambastha, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-10-2023 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 Jamalpur P.S. Case No. 74 of 2023 registered for the offences punishable under Sections 341, 342, 323, 307, 504 and 506/34 of the Indian Penal Code. He has got four criminal antecedents.

3. As per the prosecution story, on 25.06.2023 at 10:10 A.M., the informant along with police force during patrolling duty, saw one Discover motorcycle without registration number parked at North side of the road at Kiratpur Bazar. The informant told the Constable Ramakant Yadav (this petitioner) to carry the said motorcycle to the Jamalpur Police Station and the informant went to get his blood pressure and sugar checked at a clinic. When the informant returned, a lean



person driving super Splendar motorcycle along with Constable Ramakant Yadav and Satya Narayan Yadav came there and all three persons pointed the barrel of government riffle at the informant, abused him and threatened him. It is alleged that when the informant tried to make videography of the occurrence, this petitioner snatched his mobile phone and took away the motorcycle which was found parked without registration number.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that no such incident took place as alleged by the informant.

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

6. Having regard to the kind of allegations against the petitioner showing that he had assaulted the Assistant Sub-Inspector of Police while on duty and refused to abide by the order of his superior authority and further considering that the petitioner is though posted as a Constable but he has got criminal antecedent of Jamalpur (Badgaon O.P.) P.S. Case No. 14 of 2022 under Sections 341, 323, 379, 504, 506/34 of the Indian Penal Code in which he is on bail and he was accused in



three other cases in which he claims to have been acquitted, in the kind of his background and getting involvement in the offences one after another, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. His prayer for bail is, thus, refused.

7. In case the petitioner surrenders and prays for regular bail in the court below within a period of six weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudice by the order of this Court.

8. This application stands disposed of.

(Rajeev Ranjan Prasad, J)

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