

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74575 of 2023

Arising Out of PS. Case No.-639 Year-2022 Thana- DHAKA District- East Champaran

VIVEK KUMAR Son of Umashankar Ram R/o vill - Baraharwa Lakhnan Sen,
P.S. - Dhaka, Distt. - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patanjali Rishi
For the Opposite Party/s : Mrs. Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-12-2023 Heard the parties.

2. The petitioner apprehend his arrest in connection with Dhaka P.S. Case No.639 of 2022 registered for the offence punishable under Sections 341, 323, 354, 353, 504, 506, 34 of the Indian Penal Code.

3. The allegation against the petitioner is that the petitioner and three other unknown persons went to a school in drunken position, torn question paper and abused the informant, who is the head master of the said school. The petitioner snatched mobile of the informant and misbehaved with her.

4. 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 because he objected to the illegal acts of the informant and her mismanagement in the



school affairs. 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. Petitioner is a student of class 12 and there is no specific overt act against him. Petitioner has no criminal antecedent.

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

6. Having regard to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is, accordingly, dismissed.

8. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law, considering that the petitioner is a student and has no criminal antecedent.

(Anjani Kumar Sharan, J)

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