

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78616 of 2023

Arising Out of PS. Case No.-594 Year-2023 Thana- SONEPUR District- Saran

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Ankit Kumar Singh S/O Manoj Singh @ Manoj Kumar Singh Village
Nawadihan, P.S. Rahimapur, P.S. Sonapur, District Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pranoy Kumar

For the Opposite Party/s : Mr.Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 354, 504, 506, 302 and 34 of the Indian Penal Code.

3. Petitioner along with other accused persons are said to have assaulted the informant and his son with iron rod, lathi as a result of which son of the informant died during course of treatment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is no specific overt act against the petitioner. He submits that there is general and omnibus allegation levelled against the petitioner. He submits that though allegation against the petitioner is of assaulting the deceased but



the postmortem report does not support the prosecution case.
He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State and learned counsel for the informant opposing the prayer for bail submit that the petitioner is also involved in the present case.

6. Considering the facts and circumstances of the case and nature of allegation, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Sonepur P.S. Case No. 594 of 2023.

7. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order considering the fact that the petitioner has no criminal antecedent and the postmortem report does not support the prosecution case.

(Anjani Kumar Sharan, J)

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