

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1773 of 2023

Arising Out of PS. Case No.-568 Year-2022 Thana- KRITYANAND NAGAR District-
Purnia

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Mithilesh Mahto @ Chunnu @ Mithilesh Kumar Son of Badri Mehta R/o
Village and P.O.- Srinagar, P.S.- K. Nagar, District - Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar, Advocate
For the Opposite Party/s : Mr.Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-05-2023 Heard the learned counsel for the
petitioner and learned APP for the State.

This is an application for grant of anticipatory bail in connection with K. Nagar P.S. Case No.568 of 2022, registered for offences under Sections 147, 149, 341, 323, 353, 332, 333, 504 of the IPC.

The case of the prosecution, in brief, according to the informant, who was then posted as ASI in Srinagar Police Station, is that on 16.09.2022, on the occasion of Vishwakarma Pooja, he along with several police personnel was on duty at the place of worship, in Mahto Toa, Srinagar and



at about 12:50 hours, he got information that some people were drinking liquor near the place of worship, whereupon he had gone to the said place of occurrence for verification, however, he was taken hostage by the accused persons including the petitioner herein and then he was beaten with sticks and *lathi* as also by fists and punches, resulting in him being grievously injured. It is also alleged that one home guard, who was present along with the informant, was also assaulted resulting in him sustaining serious injuries. Somehow, information about the said incident was sent to the police station, whereafter additional police force had arrived and then the accused persons had fled away.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that a general and omnibus allegation has been levelled against the petitioner, hence he be



granted the privilege of anticipatory bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the accused persons including the petitioner herein has badly assaulted the police officials/personnel and had obstructed the police personnel from discharging their official duties, I do not find the present case to be a fit case for grant of anticipatory bail, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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