

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11941 of 2024

Arising Out of PS. Case No.-6 Year-2023 Thana- ISHUPUR BARAHAT District- Bhagalpur

Sanu Kumar @ Shanu Kumar, Son of Dhananjay Poddar, Resident of Village-
Pyalapur, P.s.- Ishipur Baraht, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajendra Prasad Sah, Advocate
For the State	:	Mr.Shyam Kumar Singh, APP
For the Informant	:	Mr. Manohar Prasad Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 14-11-2024 Heard learned counsel for the petitioner, the informant
and learned APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Ishipur Barahat P.S. Case No.6 of 2023 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 326, 504, 384, 325 and 307 of the Indian Penal Code.

3. As per the prosecution story, on 03.01.2023 at about 09:30 A.M., when the informant was getting her house plastered, in the meantime, one Sanjay Poddar was collecting donation for Saraswati Puja at that place which resulted in traffic jam and scattering of the sand of the informant. When the informant objected, all the FIR named accused persons

assaulted and abused her. One Asha Devi sprinkled chilly powder in the eye of the informant and Sanjay Poddar assaulted the informant by an iron rod on her head. When the family members of the informant came to rescue her, they were also assaulted. Sanu Kumar (the petitioner) assaulted her husband Mahendra Poddar with an iron rod on his head due to which he suffered serious injuries on his head. Dhananjay Podda also assaulted him due to which his left finger was broken.

4. Learned counsel for the petitioner submits that there is no specific allegation of commission of any overt act against the petitioner. It is submitted that there is case and counter case between the parties and this occurrence has taken place on a petty issue between both the parties.

5. Learned APP for the State as well as learned counsel for the informant have opposed the prayer for anticipatory bail of the petitioner.

6. Having heard learned counsel for the petitioner, the informant and learned APP for the State as also on perusal of the records, this Court finds that there is specific allegation of causing assault against this petitioner. He has assaulted Mahendra Poddar (the husband of the informant), three injuries have been found on his body out of which the first injury is in

the nature of grievous injury. The petitioner has though stated in paragraph ‘3’ that he has no criminal antecedent but learned counsel for the informant submits that his criminal conduct may be found from a viral video in which he may be seen with a pistol and this has been made available to the police, in the kind of the materials placed before this Court, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. Prayer is refused.

7. So far as the viral video is concerned, it is to be brought to the notice of the Superintendent of Police, Bhagalpur for appropriate action upon verification.

8. This application stands dismissed.

(Rajeev Ranjan Prasad, J)

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