

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23096 of 2024

Arising Out of PS. Case No.-406 Year-2022 Thana- DHANARUA District- Patna

ANAND KUMAR S/O DABLU YADAV @ BIJENDRA YADAV R/O
VILLAGE- KASHINAGAR, P.S- DHANARUA, DISTT.- PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Pandey, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-07-2024 1. Heard learned counsel for the petitioner and Mr.
Chandra Bhushan Prasad learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 326, 307, 379 and 504 of the Indian Penal Code as well as Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of four cases and the informant alleges that on order of petitioner, accused Fantush Kumar fired at the son of the informant causing injury on his waist. Thereafter all the accused persons assaulted his son by knife and Santosh Kumar snatched his golden chain. Thereafter, the injured was taken to Uma Hospital, Kankarbagh, Patna for his treatment. Thus, there was a delay of three days in instituting the FIR.

4. Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the instant case by the informant. It is further submitted that FIR has been instituted after a delay of three days of the occurrence without any plausible explanation. It is next submitted that the injured was not taken to a government hospital rather to a private hospital and the injury report of the injured was handed over to the investigating officer of the case after four months of the occurrence which casts an aspersion on the case of the prosecution.

5. Mr. Chandra Bhushan Prasad learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that petitioner is a criminal and carries criminal antecedent of four cases of serious nature. It is further submitted that though petitioner is not alleged to have fired but then the allegation is of assaulting the son of the informant by all the accused persons and from perusal of the injury report of the injured annexed as Annexure-2 to the anticipatory bail application, it would manifest that the injured suffered multiple injuries over his face, head, neck and hand which required stitches.

6. Considering the submissions made by the learned A.P.P., the Court is not inclined to extend the privilege of



anticipatory bail to the petitioner in connection with Dhanarua
P.S. Case No. 406 of 2022, pending in the Court of learned
Judicial Magistrate, 1st Class, Masaurhi, Patna/Successor Court.

7. Hence, the prayer for anticipatory bail of the
petitioner is rejected.

(Satyavrat Verma, J)

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