

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24585 of 2024

Arising Out of PS. Case No.-204 Year-2016 Thana- ALOULI District- Khagaria

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Ajit Poddar SON OF LATE BISHUNDEV PODDAR Village- Shumbha, P.S.
-Alauli, Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 01-05-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Alauli P.S. Case No. 204 of 2016 (G.R. No. 1741 of 2016) for the offence registered under sections 341, 323, 379, 325, 307, 504 and 34 of the Indian Penal Code lodged on 12.08.2016 by the informant, Ruko Devi.

3. As per the prosecution story, the informant alleged that the accused persons were constructing wall and upon objection, assaulted, causing injury in her hand. Accordingly, the F.I.R.

4. Learned Counsel for the petitioner submits that the allegation is general and omnibus in nature. Earlier section 307 was not incorporated and as such, the accused was given benefit



of section 41(i) of the Code of Criminal Procedure during investigation.

5. Now that the cognizance has been taken under section 307 of the Indian Penal Code that necessitated the filing of the present anticipatory bail.

6. Mr. Jitendra Kumar Singh, learned APP pointed out that even the cognizance under section 307 of the Indian Penal Code was taken in the year 2018 and the petitioner chose to take recourse to anticipatory bail six years later.

7. In that background, considering the fact that the case is of the year 2016 and cognizance under section 307 of the Indian Penal Code was taken in the year 2018, it would be appropriate that the petitioner seek bail.

8. The anticipatory bail application stands rejected.

9. However, if the petitioner surrenders within a period of four weeks from today, the Court concerned shall take up the matter and dispose of the same preferably on the same day.

(Rajiv Roy, J)

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