

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24819 of 2024

Arising Out of PS. Case No.-296 Year-2022 Thana- BAHADURPUR District- Patna

Rupesh Kumar Son of Gopal Prasad Resident of Mohalla- Vikash Colony
Sandalpur Road, Police Station- Bahadurpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Adv.

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-04-2024 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The Petitioner is apprehending his arrest in a case in
connection with Bahadurpur P.S. Case No. 296 of 2022 dated
09.09.2022 registered for the offences punishable u/s 147, 148,
149, 341, 323, 324, 307 and 353 of the Indian Penal Code.

3. As per the prosecution case, on 09.09.2022 at 6:30
pm, the informant along with arm forces were on patrolling and
vehicle checking at Sanichara Asthan Temple. It is further
alleged that on one scooty vide Reg. No. BR01DY-5338, three
miscreants boarded without helmet were caught hold by the
constable Vivek Chaudhary, on demand of papers, one of the
miscreants refused to show the same and started arguing with



him and thereafter, they called 8-10 persons on the spot. The miscreants are alleged to have caused hindrance in the official duty of the police personnel by assaulting the police personnel with lathi, danda as well as fist and also tried to snatch the pistol of the constable Vivek Choudhary.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case because he is the owner of the said scooty. The petitioner has committed no offence as alleged in the FIR. It is further submitted that the petitioner was not present at the place of occurrence it is clear from the prescription of the doctor as well as letter addressing to the East City S.P., Patna. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances as well as submissions made by the learned counsels for the parties, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to



the satisfaction of the learned court concerned, J.M. 1st Class,
Patna City in connection with Bahadurpur P.S. Case No. 296 of
2022, subject to conditions as laid down under section 438(2) of
the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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