

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36595 of 2024

Arising Out of PS. Case No.-687 Year-2023 Thana- KOILWAR District- Bhojpur

Binod Ray @ Binod Kumar Ray Son of Late Deo Prasad Resident of Village -
Chakia, P.S.- Doriganj, District - Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-06-2024 Heard Mr. Bhaskar Shankar, learned counsel for the petitioner
and Mr. Dilip Kumar No.1, learned A.P.P. for the State

2. The petitioner apprehends his arrest in Koilwar P.S. Case No.
687 of 2023 registered for the offences punishable under
Sections 307, 147, 148, 149 & 353 of the Indian Penal Code
and Section 27 of the Arms Act pending in the Court of learned
Sessions Judge, Bhojpur at Ara.

3. The petitioner along with other co-accused is said to have
attacked on the police party for releasing their boat from the
police custody.

4. It is submitted by learned counsel for the petitioner that no
such occurrence as alleged ever took place. He has been falsely
implicated in this case due to high handedness of police. The
allegation levelled against the petitioner is not specific rather



general and omnibus in nature. The petitioner is not the eye witness of the occurrence and the constables who were watching the seized boat have not disclosed the name of the petitioner. Petitioner has two criminal antecedents of similar nature of the offence.

5. Learned APP for the State vehemently opposing the bail petition submitted that the allegation against the petitioner is that he along with others attacked on the police party and resorted firing. Hence, the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of case and the criminal antecedents of the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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