

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49138 of 2024

Arising Out of PS. Case No.-88 Year-2024 Thana- GARKHA District- Saran

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Pritam Kumar Son of Sanjay Rai @ Sanjay Kumar R/O VILL.-
RUSTAMPUR P.S.- GARKHA, DIST.- SARAN

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar Tiwary
For the Opposite Party/s	:	Mr. Ram Anurag Singh
For the Informant	:	Mr. Kumar Binode Bariar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 325-09-2024
1. Heard learned counsel for the petitioner, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.

2. The petitioner apprehends his arrest in connection with Garkha P.S. Case No. 88 of 2024 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 429, 354, 504 and 506 of the Indian Penal Code read with 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 20.02.2024, the accused persons including the



petitioner came variously armed and entered the house and started committing loot, on protest, all accused assaulted him and Bariram assaulted by sword causing injury on head, thereafter all the accused assaulted his sister (Priyanka) and Pritam (petitioner) assaulted her by an iron rod causing injury on her head, further accused also assaulted his mother and cousin brother Manoranjan and Manoj assaulted Manoranjan by a rod causing injury on head and the accused persons looted ornaments worth Rs. 4 Lakhs kept for his sister's wedding and paddy worth Rs. 50,000/- thereafter the accused entered the Gram *Kutchery* i.e. the office of his father who is *Sarpanch* and destroyed the government property, on alarm villagers gathered when they fled, it is further alleged that Pritam has remained in custody for a long time and Manoj was involved in loot of gold at Gujarat, but now he has changed his name to Akash.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is also submitted that on account of dispute relating to land, the present occurrence is alleged to have taken place in which an altercation took place and both sides assaulted each other.



5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant oppose the prayer for anticipatory bail of the petitioner and the learned APP for the State submits that the investigation of the case is in its nascent stages and if the privilege of anticipatory bail is granted to the petitioner, he may abscond and tamper with the evidence.

6. The learned counsel appearing on behalf of the informant submits that petitioner had entered the house of the informant with an intention to commit loot as jewellery and paddy was kept in the house for the purposes of marriage of the sister of the informant. It is also submitted that petitioner is alleged to have assaulted Priyanka by an iron rod causing grievous injury on head, it is thus submitted that had the occurrence taken place on account of dispute relating to land, then the accused persons including the petitioner would not have entered the house of the informant and assaulted the female members since the loot was being protested, as such, they were assaulted.

7. Considering the submissions made by the learned APP for the State and the learned counsel appearing on behalf of the informant, the Court is not inclined to extend the



privilege of anticipatory bail to the petitioner.

8. Accordingly, the instant anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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