

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52096 of 2024

Arising Out of PS. Case No.-229 Year-2024 Thana- KADAMKUAN District- Patna

Sumit Kumar S/O Mahesh Prasad R/O Village- Saidpur, Nand Nagar Colony,
P.S- Bahadurpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-09-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 337, 338, 325, 379, 504, 506, 385 and 305 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that the case was taken on 21.08.2024 and case diary was called for but the same till date has not been received. The Court will not wait endlessly for the case diary and proceed to decide the case on merits based on the allegation as alleged in the FIR and the fact which has been recorded in the order impugned.

4. The learned counsel submits that the petitioner has antecedent of one case and the informant alleges that he runs a



gaming arena, i.e. a Snooker Table game. It is next alleged that on 13.03.2024 at 10:45 p.m., his erstwhile staff i.e. petitioner, who was removed from the job on 20.02.2024, as he was caught committing theft came in a drunken condition and started trying to break the lock for entering in the compound and all of a sudden, 25-30 accused persons came variously armed and assaulted the informant and his brother causing grievous injury for which they were treated at P.M.C.H. It is next alleged that mobile number of petitioner is 930801xxxx, further, it is alleged that an accused who disclosed his name as Ranjeet threatened with pistol of killing the family. It is also alleged that during the occurrence, the chain of his brother was snatched.

5. The learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in the instant case being the erstwhile employee of the informant. It is also submitted that petitioner had gone to seek his remaining monetary dues when he came to be implicated in the instant case as the informant does not want to part with the legitimate dues of the petitioner.

6. The learned APP for the State Mr. Chandra Bhushan Prasad, vehemently opposes the anticipatory bail application and submits that it absolutely does not stand to



reason that if the petitioner had to seek his dues why he went to the house of the informant at 10:45 p.m. in the night. It is also submitted that though allegation of assault is not specific but then it is alleged that petitioner was identified by the informant as he was trying to break the lock for entering the premises and thereafter 25-30 accused persons came who assaulted the informant and his brother, causing serious injury on account of which they were admitted in P.M.C.H for treatment.

7. It is also submitted that the investigation of the case is in its initial stages and if benefit of anticipatory bail is granted to the petitioner, in that event, the petitioner may abscond.

8. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

9. Accordingly, the present anticipatory bail application stands rejected.

(Satyavrat Verma, J)

Sudhanshu/-

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