

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51966 of 2024

Arising Out of PS. Case No.-393 Year-2023 Thana- MADHUBAN District- East Champaran

Dhrup Prasad @ Dhrub Prasad Son of Babulal Bhagat R/O Vill.- Pundar, P.S.-
Madhuban, Dist.- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwari, Adv.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Madhuban P.S. Case No. 393 of 2023, registered for the offences punishable under Sections 341, 323, 324, 307, 379, 354B, 504, 34 of the Indian Penal Code.

3. Allegedly, all the accused persons including the petitioner are said to have abused and assaulted the informant's side brutally by deadly weapons due to which he sustained several injuries. The petitioner also tried to outrage the modesty of the informant.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no



offence. No such occurrence as alleged has ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Both the parties are agnates and there is admitted land dispute between them. Both sides have filed cases against each other. The injuries sustained by the injured are simple in nature. Similarly situated co-accused have been enlarged on bail by this court vide order dated 21.12.2023 passed in Cr. Misc. No. 81331 of 2023. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail and submits that there is serious allegation against the petitioner to outrage the modesty of the informant. Hence, he does not deserve the privilege of anticipatory bail.

6. Considering the facts and circumstances of the case as well as the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order on the



same day in accordance with law without being prejudiced by
this order.

(Anjani Kumar Sharan, J)

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