

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53964 of 2024

Arising Out of PS. Case No.-354 Year-2023 Thana- DAUDPUR District- Saran

Rohit Kumar SON OF SHYAM NATH YADAV VILLAGE- GODANA, PS-
RIVILGANJ, DIST- SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-08-2024 Heard learned counsel for the petitioner as well as
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 341, 323, 307, 353, 504 and 506/34 of the IPC in connection with Daudpur P.S. Case No.354 of 2023.

3. The learned counsel submits that petitioner is a person with clean antecedent and the informant alleges that a motorcycle was apprehended on the ground that on demand the papers were not shown, further when the motorcycle was being taken to the police station, the accused called other accused persons who assaulted the police personnel causing fracture of wrist, thereafter police force came and three accused were apprehended who disclosed the name of the petitioner who fled.

4. The learned counsel submits petitioner has been



falsely implicated in the instant case by the informant. It is further submitted that petitioner was not apprehended from the spot and his name transpired in the confessional statement of co-accused in custody which does not have any evidentiary value.

5. The learned APP, Mr. Chandra Bhushan Prasad opposes the anticipatory bail application and submits that though petitioner was not apprehended from the spot but his name transpired in the confessional statement of the accused who were apprehended at the spot and were involved in assaulting a police personnel whose wrist got fractured, as such if the privilege of anticipatory bail is granted to the petitioner that would emboldened him to commit such occurrences in future also.

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

(Satyavrat Verma, J)

Prakash Narayan

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