

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55651 of 2024

Arising Out of PS. Case No.-68 Year-2004 Thana- CHANDI District- Nalanda

Sadhu Chaudhary @ Vivek Chaudhary S/o Late Jhulan Chaudhary R/o vill -
Chitar Bigha, P.S. - Chandi, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Chand Pandey

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-09-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State, Mr. Chandra Bhushan Prasad.

2. The petitioner apprehends his arrest in connection
with Chandi P.S. Case No. 68 of 2004 registered for the offences
punishable under Sections 341, 323, 379, 307 and 34 of the Indian
Penal Code read with Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that while he was returning home after purchasing articles
of *Holi* when he was intercepted by the accused persons including
the petitioner and they assaulted him by fist and slap and accused
fired causing injury on his right thigh, accordingly, the informant
was taken to hospital from where he was referred to PMCH.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant. It is next submitted that from perusal of the allegation
as alleged in the F.I.R., it would manifest that the informant does



not allege that it was this petitioner who fired causing firearm injury, it is next submitted that petitioner is a labourer and works outside the State of Bihar and was not present at the time of the occurrence.

5. Learned A.P.P. for the State, Mr. Chandra Bhushan Prasad, opposes the prayer for anticipatory bail of the petitioner and submits that a vague pleading has been made at Para-13 of the anticipatory bail application that the petitioner works outside the State of Bihar, but then the name of the State where the petitioner works is not disclosed nor the details where he works, is disclosed, which demonstrates that a bald plea has been taken. It is also submitted that informant was injured by firearm injury and process under Section 82 Cr.P.C. has been issued against the petitioner.

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

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

(Satyavrat Verma, J)

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