

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63628 of 2024

Arising Out of PS. Case No.-245 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Sanjay Shahi @ Gurucharan Shahi Son of Ramchabila Shahi Resident of
village- Belthari, P.S.- Kuchaikote, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Kuchaikote P.S. Case No. 245 of 2024 registered for the offences punishable under Sections 341, 323, 384, 353, 504, 506 of the Indian Penal Code.

3. Allegedly, on 08.06.2024, when the informant was deputed as a Magistrate at Balthari check post, the petitioner assaulted the driver of the informant and when the informant tried to pacify the matter, petitioner started abusing him. It is further alleged that the petitioner is said to have tried to cross check post forcibly with his vehicle bearing registration no. BR28AA1819.

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 taken place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. Learned counsel further submits that the time of the alleged occurrence has not been mentioned in the FIR, which creates serious doubt about the prosecution case. Though there is serious allegation against the petitioner to assault the driver of the informant, but there is nothing to show that the driver of the informant has sustained any injury over his body. The informant taking advantage of his post has lodged this false case against him. It is further submitted that petitioner has three criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

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

7. Accordingly, the application stands dismissed.

8. 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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