

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65051 of 2023

Arising Out of PS. Case No.-171 Year-2020 Thana- DIDARGANJ District- Patna

GAUTAM KUMAR Son of Gorakhnath Singh R/o vill - Sukulpur, P.s. -
Didarganj, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 27-02-2024 Heard Mr. Pramod Kumar, learned Counsel for the
petitioner and Mr. Bharat Bhushan, learned APP for the State.

2. The petitioner apprehends his arrest in connection with G.R. No. 2715 of 2020 arising out of Didarganj P.S. Case No. 171 of 2020 for the offence registered under sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code lodged on 09.08.2020 by the informant, Rabi Kumar.

3. As per the prosecution story, the informant alleged that on 09.08.2020, he had gone to collect milk in the night. As he was returning, the accused persons abused/assaulted. Upon protest, they resorted to firing which hit the head of one of the cousin of the informant, Prince Kumar who was rushed to the hospital. Further, Vishwarkarma Kumar was also hit below the eye, causing injury. Accordingly, the FIR.



4. Learned Counsel for the petitioner submits that omnibus allegation is there against all the accused persons and further, Arjun Singh another accused has been granted bail.

5. Mr. Bharat Bhushan, learned APP for the State submits that four years after the alleged occurrence/FIR, the petitioner has chosen to prefer anticipatory bail. He further submits that even Arjun Singh was granted bail and not anticipatory bail.

6. In that background, it would be appropriate that the petitioner seeks bail, the anticipatory bail application stands rejected.

(Rajiv Roy, J)

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