

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76499 of 2024

Arising Out of PS. Case No.-320 Year-2024 Thana- NOORSARAI District- Nalanda

Bharat Kumar @ Laddu S/O Bholi Yadav Resident Of Village- Parhalad
Nagar, P.S- Noorsarai, District- Nalanda At Biharsharif. Petitioner/s
Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-11-2024 Heard learned counsel for the petitioner and learned A.P.P. for
the State

2. The petitioner apprehends his arrest in Noorsarai P.S. Case No. 320 of 2024 registered for the offences punishable under Sections 127 (1), 115 (2), 132, 109, 352, 303 (2) & 3 (5) of the Bharatiya Nyaya Sanhita, 2023.

3. While the informant was on patrolling duty and reached near the Prahladpur, he stopped a truck loaded with sand and demanded for challan then the driver of the truck did not provide the document. The driver of the truck disclosed the name of owner of the truck as Manikchand Prasad. The said Manikchand Prasad started to abuse. The truck was brought to the police station but the said Manikchand Prasad along with 8 to 9 persons take away the truck forcibly. The allegation against the petitioner is that he managed to escape from the place of occurrence.

4. It is submitted by learned counsel for the petitioner that no



such occurrence as alleged ever took place. He has been falsely implicated in this case at the instance of the village Chaukidar. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner is neither the owner nor the driver of the said truck. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that the allegation against the petitioner is serious in nature. He has not only disturbed the police force in discharging their official duty rather abused and misbehaved with them. Hence, the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of case and the nature of the allegation, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

Trivedi/-

U		T	
---	--	---	--

