

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76911 of 2024

Arising Out of PS. Case No.-16 Year-2024 Thana- KATEYA District- Gopalganj

Namuna Sah @ Namuna Khatik S/O Vidya Sah @ Vidya Khatik R/O Village-
Koisa Khurd, P.S- Kateya, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh
For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 219-11-2024
1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Kateya Police Station Case No. 16 of 2024, dated 12.01.2024, disclosing offences under Sections 341/323/324/307/353/332/224/225/504/34 of the Indian Penal Code.

3. The prosecution case, as per the First Information Report lodged by the ASI, Kateya Police Station, is that on 12.01.2024, the informant received information that the absconding accused (petitioner) of Kateya Police Station Case Nos. 224/2020, 235/2021, 286/2021 and 300/2021 is in his house, reached the house of the petitioner and on seeing the police, one persons tried to flee away, but the



police apprehended him and when he disclosed his name as the petitioner, the police arrested him and were taking him towards the police vehicle. In the mean time, the family members of he petitioner came there, started abusing and assaulting the police force by lathi, danda, bricks etc and they forcibly freed the petitioner from the custody of the police.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and has falsely been implicated in the present case due to ulterior motive. The allegation against the petitioner is general and omnibus in nature. He further submits that the prosecution has not been able to bring on record the injury report of the police personnel who received injury during the alleged scuffle between the accused persons and the police.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that the accused persons freed the petitioner from the custody of the police forcible and the fact that attack on police while on official duty undermines the safety and security of law enforcement



agency, incident of mob violence against law enforcement agency has become order of the day now in the State which can be very dangerous, often escalating tensions and compromising public safety, accordingly, I am not inclined to grant the petitioner privilege of anticipatory bail.

- 6. This application is, accordingly, dismissed.
- 7. However, if the petitioner surrenders before the concerned Court and seeks regular bail, the same may be considered by the concerned Court on its own merit, without being prejudiced by the rejection of the present anticipatory bail application of the petitioner by this Court.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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