

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78791 of 2024

Arising Out of PS. Case No.-124 Year-2024 Thana- CHANPATIA District- West Champaran

Vishal Kumar Son of Lakshman Prasad Resident of Chanpatia Ward No. -6,
Chanpatia, Bettia, West Champaran, Bihar-845449

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Prabhakar

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-11-2024 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 Chanpatia Police Station Case No. 124 of 2024,
disclosing offences under Sections 147, 149, 353, 307, 332, 333,
504 of the Indian Penal Code.

3. As per the prosecution case, on 29.04.2024, at
about 5:20 pm, the informant along with police team conducted
raid against one wanted accused. When informant with his team
reached at Chiran Chowk, he got information that main accused
person, namely Shyam Kumar of Chanpatia P.S no.-111/24, is
milking at his door. When the informant reached at the door of
Shyam Kumar, he tried to run away but apprehended by the
Police team. It is further alleged that on seeing arrest of the said



accused, people from the locality assembled and started assaulting the police party with fists, slaps, bricks etc. which caused injury to some police personnel. The petitioner and other co-accused persons were identified by the mahal chowkidar.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case for opposing arrest of his neighbor namely Shyam Kumar in false and fabricated case of Bihar Excise Act and making video of the incident. The allegation against the petitioner is general and omnibus. There is no specific allegation against the petitioner except his name in the FIR.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that there is allegation against the petitioner of abusing and assaulting the police personnel thereby causing them injury and the petitioner is named in the F.I.R. He along with the co-accused persons created unruly scene when the police party arrived to discharge their official duty. An attack on police team while on official duty undermines the safety and security of law enforcement agency. Incidents of mob violence against law enforcement agency have become the order of the day now in this 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, rejected.

(Anil Kumar Sinha, J)

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