

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11582 of 2024

Arising Out of PS. Case No.-113 Year-2023 Thana- BIBHUTIPUR District- Samastipur

Dhiraj Kumar S/o Gauri Shankar Singh, Resident of Village-Sakhmohan,
P.S.-Bibhutipur, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Gautam

For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned A.P.P.
for the State

2. The petitioner apprehends his arrest in Bibhutipur P.S. Case No. 113 of 2023 registered for the offences punishable under Sections 341, 323, 504 & 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. While the informant had gone to market to purchase vegetable and was standing on the side of the road, suddenly 4-5 persons came there on an orange colour Alto Car and asked him why he is standing on the side of the road and they abused and assaulted him. The petitioner and one co-accused is said to have fled away with waving gun in their hand from the Alto Car.

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 due to inimical relation with the informant. It is further submitted that the petitioner was not present on the spot rather he went for purchasing vegetables and the informant took his name. Petitioner has three criminal antecedents and out of three two are for the similar nature of the offence as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that considering the nature of the offence and the criminal antecedents, the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of case as well as the criminal antecedents, 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	
---	--	---	--

