

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10578 of 2025

Arising Out of PS. Case No.-326 Year-2023 Thana- MALSALAMI District- Patna

ABHISHEK KUMAR Son of Phula Chaudhary Resident of Village - Purvi
Nandgola, Bampulis Banglappar, Police Station - Malsalami, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 12-05-2025 Heard Mr. Jay Ram Prasad, learned counsel for the

petitioner and Mr. Jitendra Kumar Singh, learned APP for the

State.

2. The petitioner is apprehending his arrest in connection with Malsalami P.S. Case No. 326 of 2023 for the offence under sections 341, 323, 307, 354(B), 504, 506, 34 of the I.P.C. lodged on 09.05.2023 by the informant, Dhiraj Kumar.

3. As per the prosecution story, the informant alleged that this petitioner along with friends always used to tease the the school going daughter, forcing her to leave the said school. Even then the torture did not stop and the allegation is that in continuation of that, the petitioner along with his friends intercepted the girl and upon opposing, assaulted number of persons. As the local arrived, they escaped. The injured were



taken to hospital, which followed the FIR.

4. Learned counsel for the petitioner tried to impress upon this Court the innocence submitting that an exaggerated FIR has been lodged.

5. Learned APP opposes the prayer and has taken this Court to paragraph 3 to show that he has criminal antecedent. Upon query whether the petitioner is student or not, the answer is in negative.

6. Considering the submissions of the parties as also the allegation that has come denying a young girl the basic necessity of education coupled with the fact that he has criminal antecedent, no relief can be extended.

7. The anticipatory bail application stands rejected.

8. However, if the petitioner surrenders before the learned Court below within a period of four weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order.

(Rajiv Roy, J)

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