

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22103 of 2025

Arising Out of PS. Case No.-404 Year-2024 Thana- TEGHRHA District- Begusarai

Chhotu Kumar @ Abhishek Kumar Son of Pappu Chaudhry @ Sudhir Chaudhry village- Alapur Ward no- 11 P.S- Teghra Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-05-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Teghra P.S. Case No. 404 of 2024 dt; 23.11.2024 registered u/s 126(2), 127(2), 115(2), 121(2), 109, 303(2), 263, 62, 352, 351(2), 3(5) of the B.N.S.

3. The prosecution case in brief is that the informant - A.S.I. of Police received information that one student has been caught by the principal and teachers with illegal arms at Middle School, Alapur and to verify the information the informant along with other police personnel reached at the place of occurrence. It is further alleged that local persons, about 200-250 in number, gathered at the place of occurrence and were creating nuisance and ruckus in order to rescue the student namely, Vikram Kumar. Thereafter, the informant demanded more police force



so that the mob could be controlled. It is further alleged that the informant tried to bring the accused Vikram Kumar to police station in police vehicle but the mob became uncontrolled and were trying to free the accused. During this, they abused and assaulted the informant and other police personnel due to which they were injured. They also took away Rs. 1200/- from the pocket of the informant and assaulted him also.

4. Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in the present case. There is no specific allegation of any overt act against the petitioner. The name of the petitioner transpired in the present case on disclosure of chaukidar. It is further submitted that no incriminating material has been recovered from the possession of the petitioner. He submits that according to the injury report the nature of injury inflicted to the police personal is simple.

5. I have heard learned counsel for the parties and perused the materials on record. From perusal of the F.I.R. it is evident that the petitioner is specifically named in it with allegation that he along with a mob of 200-250 persons obstructed the government servants from discharging their official duty. The learned District and Addl. Sessions Judge-IV, Begusarai in his



order refusing the prayer for anticipatory bail has noted down that paragraph no. 34 of the case diary contains the supervision note in which it is mentioned that the case has been found true against the petitioner. The petitioner 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 the privilege of anticipatory bail. This application is accordingly rejected.

(Anil Kumar Sinha, J)

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