

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21842 of 2025**

Arising Out of PS. Case No.-472 Year-2024 Thana- GRIYAK District- Nalanda

Mukesh Kumar @ Mukesh Thakur S/o- Mahendra Thakur Resident Of  
Village- Brith, Ps- Katri Sarai, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Nandu Kumar Yadav

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**

ORAL ORDER

2      01-05-2025      1. Heard the parties.

2. The petitioner apprehends his arrest in connection with  
Giriyak (Katri Sarai) P.S. Case No. 472 / 2024 dt: 16.12.2024  
instituted for the offence u/s 126(2), 115(2), 132, 318(4), 319(2),  
338, 336(3), 340(2), 352 of the Bhartiya Nyaya Sanhita 2023,  
section 66(C), 66(D) of the Information & Technology Act and  
Section 37 of Bihar Prohibition and Excise Act 2022.

3. As per the F.I.R. on 16.12.2024 at 18:40 P.M. the police  
received secret information that one Mallu Kumar alongwith 07  
persons including the petitioner after consuming alcohol were  
shouting and creating nuisance in drunken condition, reached at  
the place of occurrence, took them in custody, asked their name  
and started searching. In the meantime, all the accused persons  
started abusing and assaulting the police personnel. The accused  
persons taking advantage of darkness started fleeing away and



out of seven, five accused succeeded in fleeing away however two accused were arrested.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to village politics. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has no criminal history.

5. I have heard learned counsel for the parties and perused the materials on record. The petitioner is specifically named in the F.I.R. As per the F.I.R. the petitioner was arrested however he fled away from the custody of police. Once arrested he cannot be granted anticipatory bail. He was actively indulged in the ruckus made by the accused persons and obstructed the government servants from discharge of their official duty. The petitioner along with the co-accused 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 anticipatory bail



to the petitioner. This application is accordingly rejected.

(Anil Kumar Sinha, J)

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