

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27541 of 2025

Arising Out of PS. Case No.-802 Year-2023 Thana- DHANARUA District- Patna

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Action Kumar @ Ankit Raj @ Chandan Kumar S/O Tuntun Prasad @
Rishidev Prasad R/O Village- Hulashchak, P.O- Sonmai, P.S- Dhanarua,
Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Arun Kumar Arun, Adv. Mr. Rajiv Ranjan, Adv. Mr. Aditya Pushkar, Adv.
For the Opposite Party/s :		Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Dhanarua P.S. Case No. 802 of 2023, registered on 24.12.2023, for the offences punishable under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code & under Section 27 of the Arms Act.

3. As per the prosecution, FIR has been lodged against four named accused persons, including the petitioner, against whom there is an allegation that when the informant went to a shop to buy eggs, the accused persons suddenly started assaulting him and also hit him on the head with the butt of a



pistol, causing injury. Furthermore, when another person from the informant's side reached the spot, he was also assaulted by the accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the motive for the alleged crime has not been mentioned in the FIR. It is also submitted that the petitioner is absolutely innocent and has been falsely implicated due to local politics, despite his absence at the time of the incident. Counsel submits that in the absence of any stated motive, the criminal case is not sustainable. It is further submitted that the petitioner's criminal antecedent is not clean, as three criminal cases are pending against him, two of which were lodged prior to the present case, and one after. Counsel also submits that the petitioner is ready to comply with any conditions that may be imposed by this Hon'ble Court.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedent of the petitioner is not clean, as three criminal cases are pending against him.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the



prayer for anticipatory bail of the petitioner is hereby **rejected**.

7. It is directed to the petitioner to surrender before the Trial Court within a period of 4 weeks from today. In case, the petitioner surrenders within four weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J.)

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