

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41309 of 2025

Arising Out of PS. Case No.-31 Year-2017 Thana- BANGAWON District- Saharsa

Arvind Thakur @ Aravind Thakur S/o- Late Jageshwar Thakur Resident of
Village- Murli Basantpur Ward No- 15 PS- Bangaon Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rupesh Kumar, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 03-12-2025 Heard the learned counsel for the parties.

2. The petitioner apprehend his arrest for the offences alleged under Sections 447, 341, 323, 337, 506, 34 of the Indian Penal Code registered in connection with Bangaon P.S. Case No. 31 of 2017.

3. As per the prosecution case, the allegation against the F.I.R. named persons including the petitioner and 3-4 unknown persons is of assaulting the Informant by means of brick, slap and fist with repeated act of knocking down on ground as a result of which the informant became unconscious and sustained injuries over his body.



4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. He further submits that the petitioner was on bail but, later on, the police submitted charge-sheet in non-bailable offence and the court has taken cognizance in the matter additionally under Section 307 of the I.P.C. There is delay of eight days in lodging the F.I.R. without there being any reasonable explanation for such delay. He further submits that there is no specific allegation of assault has been attributed against the petitioner. Learned counsel for the petitioner further submits that the petitioner was granted bail on 23.08.2017 before cognizance. Later on, the learned court below has taken cognizance against all the accused persons on 17.03.2018 and issued NBW without cancellation of bail to the petitioner.

5. On the other hand, the learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the petitioner is directed to surrender before the court below who shall pass order keeping in view the decision of the Co-ordinate Bench in the case of ***Mahendra Prasad Singh Vs. The State of Bihar***, reported in ***2004(3) PLJR 491***.

7. With the direction/observation aforesaid, the



application stands disposed of.

(Nawneet Kumar Pandey, J)

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