

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40112 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- MAIRWAN District- Siwan

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Amarjit Kumar @ Amarjit Sahni S/O Rudal Sahani Resident Of Village-
Imlauli, PS- Mairwa, Distt-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-07-2025 Heard Mr. Ajay Kumar Tiwary, learned counsel
for the petitioner and Mr. Sanjay Kumar Tiwary, learned APP.

2. The petitioner apprehends his arrest in connection with Mairwa P.S. Case No. 38 of 2025 dated 23.01.2025 registered under Section 126(2), 115, 109, 132, 117, 351, 352, 3(5) of the BNS, 2023.

3. As per the First Information Report on 23.01.2025, the police on getting secret information started vehicle checking and saw a motorcycle on which plastic bags were kept, the police intercepted the said motorcycle and the person sitting on it disclosed his name as Priyanshu Singh. From the said motorcycle illicit liquor was recovered. In the meantime, five persons arrived there on two motorcycles and attacked the police party and got Priyanshu Singh freed from the custody of the police, snatched one mobile belonging to one the members



of the police party.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case on basis of disclosure of his name made by Priyanshu Singh who was arrested by the police on the spot along with illicit liquor. The arrested person disclosed before the police that the liquor belonged to the co-accused, Pintu Kumar who along with the present petitioner, Amarjit Kumar are engaged in the trade of illicit liquor. It is further submitted that the petitioner has been made accused only on the basis of statement made by Priyanshu Singh that Pintu Kumar and Amarjit Kumar (petitioner) are indulged in the trade of illicit liquor. Except having been named in the FIR, there is no other material against the petitioner to connect him in the present offence.

5. I have heard the parties and gone through the materials on record including the FIR. The petitioner as well as Priyanshu Singh have specifically been named in the FIR wherein it has been disclosed that five persons arrived on two motorcycles, assaulted the police party and got arrest person freed. Three unknown persons have also been made accused apart from the petitioner and one Pintu Kumar. An attack on police party 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.

6. In aforesaid view of the matter, I am not inclined to grant the privilege of anticipatory bail to the petitioner. The same is, hereby, rejected.

(Anil Kumar Sinha, J)

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