

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47606 of 2025

Arising Out of PS. Case No.-44 Year-2025 Thana- NUAOW District- Kaimur (Bhabua)

Arif Khan Son of Late Nesar Khan @ Nisar Khan Resident of village- Akhini,
P.S. -Nuaon, District -Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey

For the Opposite Party/s : Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-07-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Nuaon P.S. Case No. 44 of 2025 registered for the offences
punishable under Sections 115(2), 126(2), 109, 132, 223,
121(1), 121(2), 352, 351(2) and 3(5) of BNS, 2023.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of four cases and the informant alleges
that Vikash with liquor was apprehended along with the
motorcycle, when accused persons including the petitioner came
and assaulted the force causing injury to a constable and even
tried to drown the driver of the police vehicle and took away
Vikash forcefully.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the



informant on account of his antecedents. It is next submitted that once an accused is implicated in a criminal case, the police starts implicating mechanically. It is further submitted that there is no specific allegation of assault alleged against the petitioner, rather the allegation is general and omnibus in nature.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that no doubt the allegation of assault is not specific, but then it is alleged that Vikash, who was apprehended, was taken away by the accused persons including the petitioner. It is also submitted that a police constable also received injury in the occurrence, which amply demonstrates that how emboldened the accused persons including the petitioner are.

6. Considering the submissions made by the learned APP for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the instant anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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