

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49997 of 2025

Arising Out of PS. Case No.-942 Year-2014 Thana- BIHTA District- Patna

Deepak Kumar, S/o Durga Prasad Yadav, Resident of Village- Khedalpura,
P.S.-Bihta, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Usha Kumari Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-08-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Bihta P.S. Case No. 942 of 2014 registered for the offences punishable under Sections 341, 323, 325, 307, 504/34 of the Indian Penal Code.

3. Allegedly on 17.12.2014, while the informant was going on his motorcycle, in the meanwhile, three accused persons riding on *Platina* motorcycle, bearing registration no. BR01AN 3331, stopped his motorcycle and started abusing the informant. When the informant protested, they assaulted him with *Lathi*, *Danda* and *Rod* causing serious injuries.

4. Learned Advocate for the petitioner contended that in fact on the alleged date of occurrence, the motorcycle was taken away by one neighbour friend of the petitioner and he was



not knowing this fact that such occurrence has taken place. The F.I.R. has been instituted against unknown miscreants, however, only on account of he being the owner of the motorcycle, in question, his name has been implicated in this case. It is further contended that even if the allegation is taken to be true, no case is made out under Section 307 of the Indian Penal Code and moreover other offences are bailable. For the first time, the petitioner came to know about the present case in the year 2025 and thereafter he has moved before this Court.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that irrespective of the fact that the petitioner is not named in the F.I.R., the petitioner is the owner of the motorcycle, in question, which has been mentioned in the F.I.R. and, as such, he has been evading his arrest for over a decade.

6. Having regard to the submissions set forth by the learned Advocate for the respective parties and taking note of the materials available on record and also the fact that the motorcycle, in question, over which three accused persons were moving and they assaulted the informant, belongs to the petitioner and he has been evading from law for substantive period of time, this Court is not acceded to the prayer of the



petitioner for grant of anticipatory bail and, as such, the prayer for anticipatory bail of the petitioner stands rejected.

7. In case, the petitioner surrenders before the court below within a period of one month from today and prays for regular bail, the court below shall consider the same without being prejudiced by the order of this Court.

(Harish Kumar, J)

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