

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53594 of 2025

Arising Out of PS. Case No.-159 Year-2018 Thana- BIRAUL District- Darbhanga

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Bhola Jha S/O Late Lakhan Jha R/O Village- Etawa Shiv Nagar, P.S.- Biraul,
District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Maruth Nath Roy, Adv.

For the Opposite Party/s : Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-08-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341,
323, 324, 307, 504 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of four cases and the informant
alleges that he was going towards his field when he met the
accused persons and asked to return his money when
petitioner assaulted him by spade causing injury on head,
further the accused persons also assaulted his mother who
came to save him.



4. Learned counsel for the petitioner submits that FIR was instituted in the year 2018 under bailable sections, but police after investigation in the year 2019 submitted charge sheet under various section of the IPC including Section 307 of the IPC, further the learned Magistrate in the year 2024 took cognizance of the offences under Sections 341, 323, 324, 307, 504 and 34 of the Indian Penal Code.

5. The learned counsel for the petitioner next submits that initially the FIR was instituted under bailable sections, but police in a mechanical manner submitted charge sheet by adding Section 307 of the IPC.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that there is a specific allegation against this petitioner of assaulting the informant by spade causing injury on head. It is next submitted that police after investigation submitted charge sheet under Section 307 of the IPC. It is also submitted that from perusal of Para-3 to the anticipatory bail application, it would manifest that petitioner after 2018 came to be implicated in four criminal cases of varied nature, as such, if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond.



7. 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.

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

(Satyavrat Verma, J)

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