

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63882 of 2025

Arising Out of PS. Case No.-337 Year-2020 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Abhishek Kumar S/o Mathura Naresh Mishra Resident Of Village- Usari, Ps-
G.B Nagar, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-12-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for offences punishable under Sections 341, 147, 323, 307, and 504 of the Indian Penal Code, and later on, Section 302 of the Indian Penal Code was added.

3. As per the prosecution case, all the named accused persons, including the petitioner, assaulted the son of the informant with a rod, fists, and a hockey stick, as a result of which he became severely injured and later succumbed to his injuries.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. It is submitted



that the son of the informant had actually met with an accident in which he sustained severe injuries and subsequently died. It is further submitted that the police, after investigation, submitted final form, but differing with the same, the learned court below took cognizance against this petitioner under Sections 341, 323, 302, and 34 of the Indian Penal Code.

5. Learned counsel for the informant has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that the petitioner is named in the FIR with a specific accusation that he assaulted the son of the informant, resulting in his death.

6. Considering the nature of accusation and the gravity of the offence, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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