

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32853 of 2014

Arising Out of PS.Case No. -156 Year- 2014 Thana -NARPATGANJ District- ARRARIA

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1. Raghubir Prasad Gupta son of Baidhnath Prasad Gupta
2. Deepak Kumar Gupta son of Raghubir Prasad Gupta
3. Dinesh Kumar Gupta son of Raghubir Prasad Gupta All R/o vill. -
Basmatiya, P.S. Narpatganj (Basmatiya), District - Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan, Advocate.

For the Opposite Party/s : Mr. C.Jawahar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 04-02-2015

Heard both sides.

The petitioners apprehend their arrest in Narpatganj (Basmatiya) P.S. Case No. 156 of 2014, registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code and Sections 3(i)(x) of the SC/ST (Prevention of Atrocities) Act.

Praveen Kumar, the S.H.O. of Basmatiya O.P. alleged that he deputed a Chowkidar Jai Kumar Paswan and Jai Krishna Paswan, son of Chowkidar Yoga Nand Paswan to verify the information. The informant got information that the owner of truck and others were assaulting Chowkidars, on such the informant went there, but the accused persons also assaulted the

informant.

Learned counsel for the petitioners submits that the petitioners are shop owners. The informant was illegally collecting money from the shop owners and the case has been lodged, making false and frivolous allegations. From the side of the petitioners also a case was lodged.

Having considered the facts aforesaid and the fact that the informant got information that the accused persons were illegally transporting stone chips from Nepal and on such the informant deputed Chowkidars, but the petitioners not only assaulted the Chowkidars but also the informant, hence, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

However, the petitioners, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail and his prayer shall be considered on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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