

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 47575 of 2015

Arising Out of PS.Case No. -84 Year- 2015 Thana -FULWARIA District- GOPALGANJ

- =====
1. Munna Kunwar S/o Achhaybar Kunwar.
 2. Santosh Kunwar S/o Late Jagat Kishore Kunwar.
 3. Achhaybar Kunwar, S/o Late Jagat Kishore Kunwar.
- All Resident of village- Harihara, P.S. Fulwaria, Dist.- Gopalganj.
- Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

2 30-10-2015

Heard learned counsel for the petitioners and
learned A.P.P. for the State.

The petitioners apprehend arrest in Fulwaria
P.S. Case No. 84 of 2015 dated 09.06.2015 instituted under
Sections 341/342/323/307/326/506/34 of the Indian Penal
Code.

The allegation against the petitioners is of
assaulting the informant and keeping him confined in a room
with the intention to kill.

Learned counsel for the petitioners submits
that they have been implicated due to gang rivalry and that the
petitioners were not ready to cooperate with the informant of
implicating others resulting in such false implication. It is
further submitted that the petitioners have been made accused
in other cases but for that there are counter cases also and

thus the petitioners have been targeted one after the other to somehow make them accused in a criminal case with ulterior motive.

Learned A.P.P. opposes the prayer for anticipatory bail and submits that besides the allegation of assault with intention to kill, the informant was recovered by the police from the room of the petitioners in which firm arms have also been recovered. It is further submitted that the informant was recovered in an injured condition and that the petitioners also carry criminal antecedent.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioners on anticipatory bail.

The application, accordingly, stands dismissed.

However, in the event the petitioners surrender and pray for regular bail before the Court below, the same shall be considered on its own merits without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

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