

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23897 of 2016

Arising Out of PS.Case No. -748 Year- 2015 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

- =====
1. Ramesh Choudhary Son of Bilash Choudhary, R/o Village- Badhalya Bagh, P.S.- Sasaram, District- Rohtas at Sasaram
 2. Ajit Patel @ Amit Patel Son of Nand Kishore Singh, R/o Mohalla- Near Prakash Petrol Pump Gandhi Nagar, Sasaram, P.S.- Sasaram (T), District- Rohtas at Sasaram
 3. Chhotu Choudhary, son of Late Ramesh Choudhary, R/o Village- Basantpur, P.S.- Sasaram (M), District- Rohtas at Sasaram
 4. Manoj Rai
 5. Dhananjay Rai, Both sons of Mahendra Rai, Both R/o Village- Karahashi, P.S.- Natwar, District- Rohtas at Sasaram

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Siddharth Harsh

For the Opposite Party/s : Mr. Md. Ansural Haque (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 31-08-2016 Heard both sides.

The petitioners apprehend their arrest in Sasaram (M) P.S. Case No. 748/2015, registered for the offences punishable under Sections 147, 148, 149, 323, 326, 307, 337, 338, 353, 332, 427, 342 and 120B of the Indian Penal Code and 27 of the Arms Act.

The S.H.O. of Sasaram (Muffasil) alleged that on 04.07.2015 on information from the officers of the Forest Department, Sasaram that two trucks bearing Registration nos. JH 021 2732 and UP 67B 5591 loaded with illegal chips were going

to Bikramganj from Gopi Bigha, he went near rice mill of village Baglug and the Forest Department seized the vehicles. When the informant was returning from there two Scorpio and one Swift Dezire stopped the vehicle of the informant. Pappu Sah, Subodh Sah and others co-accused persons started firing on the police party in which the informant and others got injured.

Learned counsel for the petitioners submits that the petitioners are innocent. They have in fact committed no offence. The petitioner did not disclose any source of income. Similarly situated co-accused, namely Subodh Kumar, Nand Lal Sah, Chandrama Sah, Upendra Sah and Pappu Sah have already been granted anticipatory bail vide A.B.P. No. 961/2016 by the learned Additional Sessions Judge 1st, Rohtas at Sasaram.

From perusal of the FIR itself I find that the informant named the petitioners along with other accused persons and alleged that they all had made firing in which police officials received injuries.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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