

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.54399 of 2016**

Arising Out of PS.Case No. -149 Year- 2016 Thana -NAUGACHIA District- BHAGALPUR

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1. Sumit Kumar @ Rupesh Kumar,  
2. Rajiv Kumar @ Suman Kumar, Both sons of Late Naresh Yadav,  
resident of Village- Rasalpur, P.S.- Naugachia, Dist- Bhagalpur.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vivekanand Vivek

For the Opposite Party/s : Mr. Ganesh Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**  
**ORAL ORDER**

6      13-07-2017      Heard learned counsel for the petitioners and learned  
counsel for the State.

The petitioners apprehend their arrest in connection  
with Naugachia P.S. Case No. 149 of 2016 registered under  
Sections 147, 148, 149, 302 and 120B of the I.P.C. and 27 of the  
Arms Act pending in the Court of A.C.J.M., Naugachia.

Submission is that petitioners have falsely been  
implicated in this case. There is general and omnibus allegation of  
firing against the petitioners. Further submission is that petitioners  
have no criminal antecedent.

Learned A.P.P. appearing on behalf of the State  
opposed the prayer of the petitioners with submission that  
petitioners are absconder and named in the F.I.R. There is specific



allegation against the petitioners and witnesses have also supported the prosecution version.

Having considered the facts and circumstances of the case and nature of the allegation, I am not inclined to allow the prayer of the petitioners for anticipatory bail. Accordingly, the application is rejected.

**(Arvind Srivastava, J)**

Shailendra/-

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