

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51419 of 2018

Arising Out of PS.Case No. -63 Year- 2018 Thana -KAJIMUHAMMADPUR District-
MUZAFFARPUR

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1. Kundan Kumar, S/o Suresh Rai,
2. Niraj Kumar S/o Shiva Shankar Prasad,
3. Suresh Prasad Yadav @ Suresh Rai S/o Late Satya Narayan Rai,
4. Dipak Kumar S/o Shiva Shankar Prasad,
5. Ganesh Kumar @ Ganesh S/o Late Satya Narayan Rai, All R/o Mohalla-
Chakkar Maidan, South Side, P.S.- Kazi Mohammadpur, District-
Muzaffarpur. Petitioners

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-10-2018 Heard learned counsel for the petitioners and learned APP for
the State.

The petitioners are apprehending their arrest in a case
registered under Sections 147, 148, 149, 332, 333, 353, 452, 427,
307, 323, 324, 326, 379/120B of the Indian Penal Code.

The prosecution case, in brief, is that in course of doing
patrolling on the extremity of South-west of Chakkar Maidan A-1
Defence Colony, all the accused persons having armed with
different weapons gathered there and attacked the Jawans of QRT.

It has been submitted on behalf of the petitioners that the
petitioners have got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioners. The



petitioners have been falsely implicated in the present case. No specific overt act has been attributed against the petitioners. General and omnibus allegation has been made against the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R. and prayer for anticipatory bail of other similarly situated co-accused has been dismissed by a coordinate bench of this Court vide order dated 29-06-2018 passed in Cr. Misc. No. 27285 of 2018. The petitioner of Cr. Misc. No. 27285 of 2018 approached the Hon'ble Supreme Court against the dismissal order of the coordinate bench of this Court. The Hon'ble Supreme Court has affirmed the order passed by the coordinate bench of this Court.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, prayer for anticipatory bail of the petitioners in connection with Kazi Mohammadpur P.S. Case No. 63 of 2018 is rejected.

(Sudhir Singh, J)

A.K.V./-

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