

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4724 of 2019

Arising Out of PS. Case No.-970 Year-2018 Thana- AHIYAPUR District- Muzaffarpur

1. Rahul Kumar, aged about 22 years (Male) son of late Nawal Rai, Resident of Mohalla- Newalal Chowk, P.S.-Ahiyapur, District- Muzaffarpur.
2. Arvind Kumar, aged about 24 years (Male).
3. Sanjeet Kumar Rai @ Sanjeet Rai, aged about 20 years (Male)
Both son of late Bindeshwar Rai.
4. Rohan Kumar @ Ravan Kumar @ Rohan, aged about 20 years (Male), son of Dinesh Kumar Yadav @ Dinesh Ray
5. Niraj Kumar Yadav @ Niraj Kumar, aged about 24 years (Male), son of Vinod Rai, all resident of Mohalla- Jiyalal Chowk, P.S.-Ahiyapur, District- Muzaffarpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Alok Kumar Alok
For the Opposite Party/s :	Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 29-01-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Ahiyapur P.S. Case No. 970 of 2018, registered for the offence punishable under Sections 147, 148, 149, 341, 323, 337, 379, 307 and 504 of the Indian Penal Code and under Section 27 of the Arms Act.

Allegation has been made that the petitioners and others came on 10-12 motorcycles holding iron rods and



country-made pistols and started resorted to firing in a place where *Shradh Karma* was going on. It has also been alleged that on account of firing some persons have received firearm injuries.

Learned counsel for the petitioners submits that there is no allegation of overt act against the petitioners.

Looking to the nature of allegation, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for bail is rejected. However, if the petitioners surrender before the Court below within three weeks from today and pray for regular bail, the Court below will consider the same and pass appropriate order without being influenced by the order of this Court. The Court below will also consider the fact, as has been submitted by learned counsel for the petitioners, that one Nishu Jha and other co-accused persons have been granted regular bail.

(Shivaji Pandey, J)

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