

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29105 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- KHIJARSARAI District- Gaya

1. Sanjeevan Choudhary, aged about 35 years, Male, Son of Late Ganauri Choudhary, Resident of Village Chiraily, P.S. Khizarsarai, District Gaya
2. Prakash Choudhary, aged about 21 years, Male, Son of Arjun Choudhary, Resident of Village Chiraily, P.S. Khizarsarai, District Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kr. Sinha

For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-05-2019 Heard both sides.

Petitioners apprehend their arrest in Khizarsarai P.S.

Case No. 36 of 2019, registered under Sections 379, 323, 504, 341 and 34 of the Indian Penal Code and under Section 37 (c) of Bihar Prohibition and Excise Amendment Act, 2018.

The informant alleged that while he was coming from Gaya to his village on a Swift Dezire car and when he reached near Chiraily Bazar at about 5:30, he saw 8-10 persons were creating nuisance after taking liquor. The informant identified the petitioners and others and alleged that the petitioners and other accused persons assaulted the informant and other occupants of the car, snatched cash, chain made of gold and



other articles.

Learned counsel for the petitioners submits that the petitioners are uncle and nephew. The informant parked his car in front of the shop of the petitioners and when the petitioners asked the informant to remove the car parked in front of their shop, the informant lodged this case but it appears that the informant and other witnesses have categorically stated that when they were returning to their house, the petitioners and other were creating nuisance after taking liquor and the petitioners and others not only assaulted the informant and other occupants of the car but also snatched cash and ornaments from their possession in the mid of market.

Considering the nature of allegations made against the petitioners, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

(Prabhat Kumar Jha, J)

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