

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49753 of 2019

Arising Out of PS. Case No.-513 Year-2018 Thana- BAKHTIYARPUR District- Patna

1. GUDDU KUMAR @ GUDDU KUMAR YADAV Son of Mahashay Yadav @ Upendra Kumar Resident of Village- Naya Tola Bariyarpur, P.S.- Bakhtiyarpur, District- Patna.
2. Upendra Kumar @ Upendra Kumar Mahashay Son of Shankar Ray @ Mahashay Ray Resident of Village- Naya Tola Bariyarpur, P.S.- Bakhtiyarpur, District- Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-08-2019 Petitioners seek bail in anticipation of their arrest in connection with Bakhtiyarpur P.S. Case No. 513 of 2018 registered for the offences punishable under Sections 323, 341, 307, 385, 365, 427, 354/34 of the Indian Penal Code and Section 12 of POCSO Act.

Prosecution story is that petitioner No.1 along with other accused persons abused the driver of the informant and also asked for extortion. Further allegation is that on the next day also petitioner No.1 came and demanded extortion, which was informed by his driver to the informant and when informant and her husband inquired about the same they were abused and there is also allegation of misbehaving with her daughter and on alarm people gathered they fled away. It is also stated that petitioners along with other accused persons came and abused the family members of the informant and



made indiscriminate firing, confined the family members in a room and also damaged her car. It is also alleged that they have apprehended her driver and further case is that earlier they fired on her husband and for that he was taken to private hospital. Apart from that petitioners have criminal antecedents.

Submission of learned counsel for the petitioners is that no offence is made out under Section 307 IPC against the petitioners and there is land dispute between the parties and as such they have falsely been implicated in this case making ornamental allegation.

Heard learned APP also.

In view of above facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioners.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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