

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64561 of 2018

Arising Out of PS. Case No.-207 Year-2018 Thana- KARAHGAR District- Rohtas

Arjun Kumar Singh @ Arjun Choudhary, son of Kailsah Choudhary, resident of village-Hriday Saraiya, P.S. Kargahar, District-Rohtas, Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhinay Raj, Advocate.

For the Opposite Party/s : Mr. Sri Manoj Kumar – 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 29-01-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Kargahar P.S. Case No.207 of 2018 registered under Sections 147, 148, 149, 341, 307 and 302 of the Indian Penal Code besides Section 27 of the Arms Act, pending in the court of the Chief Judicial Magistrate, Rohtas, Sasaram.

The accusation is that 10 persons, named in the F.I.R., including the petitioner, forming an unlawful assembly came near the Khailyan of the informant Lakshman Choudhary. Out of them, Gaurishankar Choudhary, Arjun Choudhary (petitioner), Bhim Choudhary and Bhola Choudhary caught hold of Ramji Singh, the elder brother of the informant and, thereafter, Sanjay Choudhary alias Mannu Choudhary fired at Ramji Singh, the elder brother of the



informant. At that time, they also ran towards the informant to cause assault him.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the father of the petitioner had lodged Kargahar P.S. Case No.86 of 2002 under Section 302 of the Indian Penal Code against the informant of the present case and others, which is pending for trial in the court of 7th Additional Sessions Judge, Sasaram, numbered as Sessions Trial No.173 of 2006. Due to that reason, the informant has lodged the present case with false allegation against the petitioner of catching hold of his brother Ramji Singh and making firing by Sanjay Choudhary alias Mannu Choudhary at him.

Having considered the facts and the circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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