

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66136 of 2019

Arising Out of PS. Case No.-349 Year-2019 Thana- SAHARSA District- Saharsa

1. Mukesh Kumar Sah
 2. Prakash Sah @ Jagra @ Prakash Kumar
 3. Karanjit Kumar
- All are Son of Pulkit Sah, R/o Village- Sarahi, Ward No. 9, P.S.- Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Harun Quareshi
For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 12-12-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in this case are seeking anticipatory bail in connection with Saharsa P.S. Case No.349 of 2019 registered for the offences punishable under Sections 341, 323, 324, 307, 504, 506, 379 and 447/34 of the Indian Penal Code.

The prosecution case is that on 12.04.2019 while the informant was on his counter in the shop situated at Sabzi Mandi, six miscreants came on three motorcycles. The informant identified four out of six accused including these petitioners. They entered in the shop lashed with country made pistol and iron rod. It is alleged that the petitioner no.1



threatened the informant pointing out his pistol, the petitioner no.2 assaulted the informant from the iron rod on his head and petitioner no.3 took away Rs.30,000/- cash and gold chain from the informant. One of the accused was apprehended by the people. Two motorcycles were left by the accused on the spot itself.

Learned counsel for the petitioners submits that the allegations against the petitioners are false and they have been implicated because of land dispute between the parties and nothing has been recovered from their possession as also that the injury of the informant is simple in nature.

Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioners as according to him these petitioners have been identified by the informant and they have actively participated in the alleged occurrence.

In the given facts and circumstances of the case wherein there are specific allegations and identification of these petitioners by the informant, I am not inclined to grant privilege of anticipatory bail to the petitioners. The prayer is refused.

In case, the petitioners surrender and pray for regular bail in the court below within a period of four weeks from today, their prayer for regular bail shall be considered on their own



merit without being prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

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