

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71381 of 2019

Arising Out of PS. Case No.-119 Year-2019 Thana- BELSAND District- Sitamarhi

1. SHOBHA PRASAD Son of Late Shiv Shankar Prasad Resident of Village - Pandrahi, P.s.- Belsand, Distt.- Sitamarhi.
2. Ratan Kumar @ Nunu Son of Shobha Prasad Resident of Village - Pandrahi, P.s.- Belsand, Distt.- Sitamarhi.
3. Rahul Kumar @ Mannu Son of Shobha Prasad Resident of Village - Pandrahi, P.s.- Belsand, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhubala Verma
For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Belsand P.S. Case no. 119 of 2019 registered under Sections 147, 148, 149, 323, 354, 307, 504 and 506 of the Indian Penal Code.

6 named accused persons are said to have intruded into the house of the informant and slated and slapped his son. When his daughter rushed in his rescue, they misbehaved with her and when the informant made protest, petitioner Shobha Prasad resorted firing but he left unhurt. In the meantime,



police patrolling party arrived there and accused persons made good their escape resorting two rounds of firing. Informant handed over one empty cartridge to the police party.

It is submitted by learned counsel for the petitioners that the petitioners have no concern with the aforesaid occurrence. As a matter of fact, wife of the petitioner Shobha Prasad namely Chanda Devi had filed a petition before S.D.J.M., Belsand on 12.07.2019 against the informant and in order to mount pressure upon the petitioner to withdraw the said petition, informant has lodged this case with altogether wrong and concocted allegations. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. None has sustained any injury in the occurrence. Empty cartridge was not seized by the police rather has been produced by the informant to the police. Hence petitioner may be enlarged on bail.

On the other hand, learned APP for the State and learned Counsel for the informant opposing the bail petition submitted that petitioners are having six criminal antecedents, hence they do not deserve anticipatory bail.

Considering the criminal antecedents of the petitioners, I am not inclined to enlarge the petitioners on



anticipatory bail. Prayer for bail of the petitioners is rejected.

However, petitioners are directed to surrender before the learned court below within six weeks from today and seek regular bail and the learned court below shall dispose of the bail petition of the petitioners on the very date of their surrender in accordance with law without being prejudiced by this order.

(Prakash Chandra Jaiswal, J)

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