

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78421 of 2019

Arising Out of PS. Case No.-197 Year-2019 Thana- SULTANGANJ District- Patna

1. ANIL KUMAR @ ANIL SAHNI Son of Late Rambabu Sahni. Resident of Village - Mohammadpur, Near Gautam Budha School, P.S,- Sultanganj, Distt.- Patna.
2. Vicky Son of Late Baijju Rawat Resident of Village - Mohammadpur, P.S,- Sultanganj, Distt.- Patna.
3. Baby Devi D/o Late Rambabu Sahni Resident of Village - Mohammadpur, Near Gautam Budha School. P.S,- Sultanganj, Distt.- Patna.
4. Sunita Devi @ Sunita Sahni W/o Anil Kumar Resident of Village - Mohammadpur, Near Gautam Budha School. P.S,- Sultanganj, Distt.- Patna.
5. Ranju Devi W/o Bahadur Resident of Village - Banapur Mohammadpur, P.S,- Sultanganj, Distt.- Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Samir Kumar
For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 12-12-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Sultanganj P.S. Case No. 197/2019 registered under Sections 341, 323, 332, 353, 337, 504 & 34 of the Indian Penal Code and 37(b) & (c) of Bihar Prohibition and Excise Act, 2016 pending in the court of learned Special Judge, Excise Act, Patna.

Learned counsel for the petitioners submits that



informant has lodged this false case against the petitioner with ill motive and only to harass the petitioners on the basis of frivolous and baseless grounds. From perusal of the F.I.R. no offence is made out against the petitioners.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case wherein these petitioners are named in the F.I.R. and it is alleged that they had assembled at the place of occurrence in their attempt to get the accused free from the clutch of the police and further that they had thrown stones at the police personnel, this court is not inclined to grant the privilege of anticipatory bail to the petitioners.

Prayer for anticipatory bail of these petitioners is refused.

Learned counsel for the petitioners submits that there are general and vague allegations and no specific allegation of assault has been made against these petitioners as also that it is stated that 5 – 6 unknown male and 7-8 unknown women had also assembled at the place of occurrence, their prayer shall be considered by the court below for the purpose of grant of regular bail if the petitioners surrender and pray for regular bail



within a period of four weeks from today.

Considering that the petitioner nos. 3, 4 & 5 are ladies, this court directs that in case they surrender and pray for regular bail, their prayer shall be considered on the same day and an appropriate decision will be taken keeping in view the aforesaid submission of the petitioners.

(Rajeev Ranjan Prasad, J)

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