

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7851 of 2020

Arising Out of PS. Case No.-310 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. AMARJEET RAI @ AMARJEET KUMAR Son of Ram Babu Rai Resident of Village-Chandrahiya, Police Station-Muffasil, District-East Champaran.
 2. Ram Ekbal Rai @ Ekbal Rai Son of Satai Rai Resident of Village-Chandrahiya, Police Station-Muffasil, District-East Champaran.
 3. Anshu Rai Son of Kodai Rai Resident of Village-Chandrahiya, Police Station-Muffasil, District-East Champaran.
 4. Ranjeet Yadav @ Ranjeet Rai Son of Bhola Yadav Resident of Village-Chandrahiya, Police Station-Muffasil, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 19-06-2020 The present case was heard at length on 17.06.2020
and today, it has been listed under the heading “For Orders”.

This is an application for grant of anticipatory bail in connection with Muffasil PS case no. 310 of 2019 registered for the offences punishable under Sections 147, 148, 149, 323, 307, 379, 427, 436, 504, 506/34 of Indian Penal Code.

The case of the prosecution in brief as per the informant namely Shyamal Kumar is that he runs a line hotel in the name of “Nirmal Dhaba” near NH-28 which he has taken on rent. It is alleged that in the morning of 13.07.2019 at about



8 am, the accused persons including the petitioners herein had arrived along with 50-60 unknown persons variously armed and had attacked the hotel, whereafter they had destroyed and looted the articles of the hotel like T.V., LED, Refrigerator, Table, Chairs, bottles of cold drinks, utensils etc., apart from damaging four motorcycles kept in the hotel. It is also alleged that the accused persons had then pulled out the CCTV cameras and had broken the same. It is also alleged that the petitioners herein with other co-accused persons had then taken out the money from the cash bags and then had left the place after setting on fire the motorcycles etc. It is the case of the prosecution that on account of the aforesaid mischief, arsoning/ loot committed by the accused persons including the petitioners herein, the informant had suffered a loss of Rs. 6 lacs apart from the looted cash amount having been taken away by the accused persons.

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case. It is further submitted that no such incident had ever taken place. It is further submitted that on account of previous enmity, the petitioners have been falsely implicated in the present case.

The learned APP for the State has vehemently



opposed the prayer for bail.

Having heard the learned counsel for the parties at length, considering the materials on record as also taking into account the materials available in the case diary in question, this Court finds that there are ample materials in the case diary to connect the petitioners with the alleged occurrence/ crime. This Court further finds that the petitioners have engaged in loot and arsoning and the witnesses have also supported the allegations levelled in the FIR, in their statement made before the police. Moreover, the petitioners are not having good antecedent and they are accused in some other cases also. Thus, this Court is of the opinion that atleast, the petitioners are not entitled to the privilege of anticipatory bail, thus the present petition stands dismissed.

(Mohit Kumar Shah, J)

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