

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9958 of 2020

Arising Out of PS. Case No.-87 Year-2019 Thana- GADHPURA District- Begusarai

Kundan Kumar @ Kundan Sahni S/o Om Prakash Sahni Resident of Village-
Sanghai Tol Kahausi, P.S.- Gadhpura, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-06-2020 This case has been heard through video conferencing.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 290, 387
120B of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as lodged by the police
personnel is that during evening patrolling he got information
that to create terror 5-6 criminals are making firing in
Gadhapura market. To verify the information, informant reached
there. The villagers and business man of the locality told him
that 5-6 criminals have making firing there and among them
they identified two persons namely Angad yadav and Kundan
Sahni (petitioner). The villagers also told that Bino Yadav, the
father of Angad Yadav, always used to collect the criminals from



out side through his son and they give protection to them and create nuisance with the help of accused persons in the locality with a view to collect rangdari.

Learned counsel for the petitioner submits that he is innocent and has been falsely implicated in this case. He submits that the allegation against the petitioner is general and omnibus in nature. He submits that petitioner is local person of that locality and due to enmity with one Kirana shop owner namely Babu Lal Sah, he has been made accused. He submits that no specific overt act alleged against the petitioner. He submits that falsity of this alleged occurrence certified from the fact that there is no any injury in this occurrence, nor any empty cartridges were recovered from the place of occurrence. He further submits that another co-accused has been granted bail by the learned court below itself.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, his payer for anticipatory bail is rejected in connection with Gadpura P.S. Case No. 87 of 2019 pending before the court of the learned C.J.M., Begusarai.

Accordingly, the application is dismissed. However, petitioner surrendered before the learned court below and



learned court below shall consider the bail application of the petitioner on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

