

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16980 of 2020

Arising Out of PS. Case No.-345 Year-2019 Thana- RIVILGANJ District- Saran

1. DINESH CHAUDHARY Son of Late Badri Chaudhary Resident of Village- Brahmpur- Jalalpur, P.S.- Revelganj, District- Saran at Chapra.
2. Subash Kumar Chaudhary @ Subash Chaudhary Son of Late Badri Chaudhary Resident of Village- Brahmpur- Jalalpur, P.S.- Revelganj, District- Saran at Chapra.
3. Awadhesh Kumar Chaudhary @ Awadhesh Chaudhary Son of Late Badri Chaudhary Resident of Village- Brahmpur- Jalalpur, P.S.- Revelganj, District- Saran at Chapra.
4. Rakesh Chaudhary Son of Late Badri Chaudhary Resident of Village- Brahmpur- Jalalpur, P.S.- Revelganj, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan
For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-08-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners and the learned APP appearing for the State.

This is an application for grant of anticipatory bail in connection with Revelganj P.S.Case No. 345



of 2019 registered for the offence punishable under Sections 341, 323, 447, 307, 34 of the Indian Penal Code and later on Section 302 of the Indian Penal Code has been added.

The case of the prosecution in brief is that on 2.11.2019 at about 10:30 PM. in the night, the son of the informant was sleeping at his vegetable shop whereupon the petitioners herein and other accused persons had arrived there, armed with various weapons and had engaged in assaulting the son of the informant with the intention of killing him resulting in death of the son of the informant during the course of treatment on account of the injuries sustained as a result of the aforesaid assault made by the accused persons including the petitioners herein.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. It is further submitted that a general and omnibus allegation has been levelled against the petitioners



and a co-accused person has already been granted the privilege of regular bail by a coordinate Bench of this Court vide order dated 23.01.2020 passed in Criminal Miscellaneous No. 1969 of 2020.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case and considering the fact that there is direct allegation against the petitioners herein of having assaulted the son of the informant resulting in his death as also taking into account the fact that the co-accused person has been granted regular bail and not anticipatory bail, I do not find the present case to be a fit case for grant of anticipatory bail, hence, the same stands dismissed.

(Mohit Kumar Shah, J)

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