

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25298 of 2020**

Arising Out of PS. Case No.-1 Year-2017 Thana- MATIHANI District-
Begusarai

- =====
1. Chandan Choudhary S/o Late Angad Choudhary Resident of Village-Matihani, P.S.-Matihani, District-Begusarai.
 2. Moti Rai @ Santosh Rai S/o Sita Ram Ray @ Sita Ram Rai Resident of Village-Matihani, P.S.-Matihani, District-Begusarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Sandip Kumar Gautam, Advocate
For the State : Mr. Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 10-11-2020 Heard learned counsel for the petitioners and learned

APP for the State through video conference. Learned counsel for
the petitioners undertakes that all defects pointed out by the
stamp reporter shall be removed, and compliance with the
conditions of the notices of this Court with regard to acceptance
of e-filing shall be made, without delay immediately upon
resumption of normal physical functioning of the Court, and in
any event within one month thereof. Learned counsel for the
State states that he has no objection in this regard and the matter
be taken up on merits in view of the stated urgency.

2. The petitioners apprehend their arrest for the
offences alleged under Sections 326, 307, 34 of the Indian Penal



Code and Section 27 of the Arms Act registered in connection with Matihani P.S. Case No. 01 of 2017.

3. It is submitted that the petitioners have been falsely implicated in connection with firing upon the informant causing injury. It is submitted that the F.I.R. is against unknown persons. The petitioners' name has surfaced on the extra judicial confessional statement of co-accused Prince Kumar and there is no objective material to connect the petitioners with the alleged occurrence.

4. Learned APP appears and opposes the prayer for anticipatory bail. He invites reference to the impugned order of the learned Additional Sessions Judge-V, Begusarai, taking note of paragraph-155 of the case diary which discloses one entry wound and one exit wound on the injured person causing by firearm. He also refers to paragraph-3 of the petition enumerating the numerous cases in which the petitioners have been made accused in the past.

5. Having regard to the nature of accusations and the gravity of the offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioners. The petition stands dismissed.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para-1



hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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