

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63908 of 2019

Arising Out of PS. Case No.-281 Year-2019 Thana- NARPATGANJ District- Araria

1. Shuk Charan Das @ Shukh Charan Das Son of Kala Chandra Das Resident of Village - Refugee Colony, Ward No. 03, Basmatiya, P.S.- Narpatganj (Basmatiya O.P.), District- Araria
2. Rup Kumar Das Son of Satto Chandra Das Resident of Village - Refugee Colony, Ward No. 03, Basmatiya, P.S.- Narpatganj (Basmatiya O.P.), District- Araria

... .. Petitioners

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Singh Mr. Ramesh Kumar Singh
For the Opposite Party/s :		Mr. Ashok Kumar Keshrki Mr. Arun Kumar Singh Mr. Anand Vardhan

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 04-03-2020 Heard learned Counsel for the petitioners and the learned APP for the State. Learned Counsel for the informant is also present and has made submissions opposing the prayer for anticipatory bail.

Petitioners apprehend arrest in Narpatganj (Basmatiya) PS Case No. 281 of 2019 registered under Sections 302/120B/34 IPC.

Altogether 66 named accused persons are alleged to have perpetrated the assault by means of various weapons causing death to brother and father of the informant. The alleged occurrence is in retaliation to a criminal prosecution instituted against one Ram Chandra Das by the side of the accused persons.

Learned Counsel for the petitioners places reliance on the orders passed in Cr. Misc. Nos. 62005 of 2019, 72118 of 2019, 43593 of 2019 and 62137 of 2019 to submit that privilege of anticipatory bail has been granted to other similarly situated. Other



than general and omnibus allegations made in the FIR there is nothing on record to connect the petitioners with the occurrence in question.

Learned APP as well as counsel appearing for the informant submitted that in an organised manner based on prior enmity the petitioner is one amongst other 65 persons named who have perpetrated the act of assault leading to murder of brother and father of the informant. After surrounding the father and brother of the informant they have been done to death. Specific role has been assigned to the petitioner by the witnesses who have been examined during course of investigation. Reference is made to such allegation in para 61 of the case diary to support such contention.

Counsel for the informant has also relied upon the order passed by coordinate Bench of this Court rejecting the anticipatory bail application of other named co-accused in Cr. Misc. Nos. 50907/2019, 41562/2019, 4761/2019 and 46903 of 2019.

Considering the rival submissions and having regard to nature of occurrence, this Court is not inclined to allow the petitioner privilege of anticipatory bail. The prayer is rejected.

This application is dismissed.

(Madhuresh Prasad, J)

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