

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80565 of 2019**

Arising Out of PS. Case No.-131 Year-2018 Thana- AANDAR District- Siwan

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1. AZHARUDDIN @ GOLU KUMAR, Son of Gulabudin, Resident of Village - Andar, P.S.- Andar, Distt.- Siwan.
  2. Md. Ashik Alam @ Ashish Kumar @ Ashik Ali, Son of Anwar, Resident of Village - Andar, P.S.- Andar, Distt.- Siwan.

... .. petitioners

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the petitioners/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Arun Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      20-02-2020                      Heard learned counsel for the petitioners and learned APP for the State.

The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in a case registered for the offence under sections 341, 324, 307, 379, 354B and 34 of the Indian Penal Code.

As per allegation in the F.I.R., two petitioners along with one Tuntun Kumar are stated to have misbehaved with the informant and thereafter on her mother coming to her assistance,



Tuntun Kumar is stated to have given a knife blow on both of them. It is thereafter stated that the petitioners snatched away gold ear-rings worth Rs.75,000/-.

It is submitted by learned counsel for the petitioners that from the F.I.R. itself, it would be evident that the main allegation of overt act is against Tuntun Kumar and not these petitioners. These petitioners have been falsely implicated in the case and they have no criminal antecedent. It is further submitted that the main accused Tuntun Kumar has already been enlarged on regular bail.

The application for bail has been opposed by learned APP for the State.

Having heard the learned counsel for the parties and taking into consideration the direct allegation against these petitioners of having actively participated in the occurrence as narrated in the F.I.R., the Court is not inclined to enlarge the petitioners on anticipatory bail and as such the application for anticipatory bail is rejected.

The petitioners are directed to surrender in the court below within four weeks. However, in case the petitioners surrender within the aforesaid period, the Court below shall consider the application for bail without being prejudiced by



this order of rejection.

**(Partha Sarthy, J.)**

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