

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39051 of 2020

Arising Out of PS. Case No.-209 Year-2019 Thana- KANTI District- Muzaffarpur

1. PAPPU CHOUDHARY @ PAPPU KUMAR Son of Kauleshwar Choudhary Resident of Village - Sain Shiv Prasad Singh, P.S.- Kanti, Distt.- Muzaffarpur.
2. Guddu Choudhary Son of Kauleshwar Choudhary Resident of Village - Sain Shiv Prasad Singh, P.S.- Kanti, Distt.- Muzaffarpur.
3. Sumit Kumar Son of Harendra Pandey Resident of Village - Maisahan, P.S.- Kanti, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 06-12-2021 Heard the parties.

The petitioners apprehend their arrest in a case in connection with Kanti P.S. Case No.209 of 2019, registered for the offence punishable under Sections 448/341/323/307/379/325/427/34 of the Indian Penal Code.

The prosecution case in short is that the brother of the informant has been assaulted by the petitioner nos.1 and 2 and ran away with valuable articles. It is alleged that petitioner no.3 and others were caught by the people in drunken position.

It is submitted by learned counsel for the petitioner that petitioners are quite innocent and have committed no offence.



They have been falsely implicated in this case. No such occurrence as alleged ever took place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is case and counter-case between the parties. Both sides have sustained injuries and petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail by submitting that the injury report supports the prosecution case.

Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioners named above.

Accordingly, the bail application is dismissed.

However, the petitioners are directed to surrender before the learned court below within a period of four weeks from today and seek regular bail.

The learned court below is directed to consider and dispose of the case of the petitioner, on the same date, in accordance with the merits of the case without being prejudiced by the dismissal of the present application.

(Anjani Kumar Sharan, J)

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