

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14935 of 2022

Arising Out of PS. Case No.-47 Year-2021 Thana- PATORI District- Samastipur

1. SONU KUMAR @ SONU KUMAR JHA Son of Vivekanand Jha Resident of Village- Sarari, P.S.- Patori (O.P. Mohanpur), District- Samastipur.
2. NITESH KUMAR S/o Navelesh Kumar Jha Resident of Village- Sarari, P.S.- Patori (O.P. Mohanpur), District- Samastipur.
3. UDAY KUMAR JHA Son of Surya Narayan Thakur Resident of Village- Sarari, P.S.- Patori (O.P. Mohanpur), District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-07-2022 Heard learned counsel for the parties through video conferencing.

The petitioners apprehend their arrest in a case registered for the offence under Section 307 & other allied sections of the Indian Penal Code and Section 37(c) of Bihar Prohibition and Excise Act.

As per the prosecution case, all the F.I.R. named accused persons, including these petitioners, armed with stick and other sharp cutting weapons attacked the police party and tried to snatch arms of the police personnel.

It is submitted on behalf of petitioners that there is general and omnibus allegation of commission of assault.



Neither there is any specific allegation against these petitioners nor any illicit liquor has been recovered from their possession.

However, learned A.P.P. for the State opposed the prayer for anticipatory bail and submitted that there is specific allegation against petitioners and others that they attacked on police party and tried to snatch their rifle. Petitioners have also criminal antecedent.

Fact remains that one Ranjita Devi informed the police that accused persons in respect of Patori P.S. Case No. 27 of 2021 are causing disturbance in drunken condition, thereafter, police team reached there and tried to pacify them, but the accused did not listen and tried to snatch rifle of police party and thus, caused inconvenience to the police personnel in discharge of their official duties.

Considering the aforesaid facts and circumstances, the prayer for anticipatory bail of petitioners is rejected.

(Prabhat Kumar Singh, J)

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