

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28945 of 2021

Arising Out of PS. Case No.-156 Year-2020 Thana- OBRA District- Aurangabad

1. RAHUL SHARMA S/O ANIL SHARMA R/o village- Kusha, P.S.- Obra, District- Aurangabad
2. CHHOTU SHARMA S/O ANIL SHARMA R/o village- Kusha, P.S.- Obra, District- Aurangabad

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 29-01-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as learned APP for the State through video conferencing.

The petitioners apprehend their arrest in connection with Obra P.S. Case No. 156 of 2020, registered for the offences punishable under Sections 147, 149, 341, 323, 379, 504 and 506 of the Indian Penal Code and Section 27 of Arms Act.

As per allegation, co-accused Navneet Kumar was making hue and cry being under the influence of intoxicant and when the informant attempted to drove him from his *darwaja*, he called other accused persons including the present petitioners and they came equipped with arms. The further allegation is that they misbehaved



with the female members and assaulted them with iron rod. The accused persons also opened fire. It has also been mentioned in the FIR that both the petitioners are *mafia* and they are persons of criminal nature.

Learned counsel for the petitioners has submitted that there is allegation of making hue and cry in drunken condition is against co-accused Navneet Kumar and not against the present petitioners. He has also submitted that the co-accused Navneet Kumar was tractor driver of the petitioners.

As paragraph No. 3 of the bail petition both the petitioners have criminal antecedent of two serious cases including murder.

Considering the above-mentioned facts and circumstances as well as the criminal antecedents of the petitioners, I am not inclined to grant the anticipatory bail to the petitioners.

Accordingly, their prayer for anticipatory bail is hereby rejected.

Office shall ensure that all defects are removed 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.

(Nawneet Kumar Pandey , J)

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