

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34071 of 2021**

Arising Out of PS. Case No.-751 Year-2020 Thana- KHAJANCHI HAT District- Purnia

ROHIT JHA@ROHIT KUMAR JHA SON OF SRI MANIKANT JHA
RESIDENT OF VILLAGE- SUKHSENA, P.S.- BARHARA, DISTRICT-
PURNEA AT PRESENT LAW COLLAGE, P.S.- MADHUBANI, DISTRICT-
PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 31809 of 2021

Arising Out of PS. Case No.-751 Year-2020 Thana- KHAJANCHI HAT District- Purnia

PRAYAS BHARTI @ CHANKI YADAV @ CHINKI YADAV S/O
VIRENDRA KUMAR BHARTI Resident of Sant Kabir Nagar, Court Station,
P.S.- K. Hat, District- Purnea

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 34071 of 2021)

For the Petitioner/s : Mr.Amit Kumar Anand

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

(In CRIMINAL MISCELLANEOUS No. 31809 of 2021)

For the Petitioner/s : Mr.Md Fazle Karim

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

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

ORAL ORDER

5 23-08-2022 The learned counsel for the petitioners is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard the learned counsel for the petitioners and

Mr. J.N. Thakur, learned APP for the State.



The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 302, 324 and 307 of the Indian Penal Code and Section 27 of the Arms Act, registered in connection with K. Hat P.S. Case No. 51 of 2020.

The informant is the mother of the deceased Saurabh Yadav. The allegation against petitioner Prayas Bharti @ Chanki Yadav @ Chinki Yadav is that he called the deceased and when he reached near aerodrome, ten accused persons including the petitioners started assaulting the deceased with lathi, sticks, brickbats and sharp-edged weapon. They made him badly injured. They also dismantled his Bullet motor-cycle and assaulted Sharwan Kumar, the friend of the deceased. The son of the informant was rushed to the hospital in injured condition where he was declared brought dead.

The learned counsel for the petitioners has submitted that the allegation is general and omnibus and the informant is not the eye-witness of the occurrence.

On the other hand, learned APP has opposed the prayer for anticipatory bail and submitted that the witnesses during investigation have supported the occurrence. The petitioners are named in the FIR. There is allegation that they



assaulted the deceased due to which he died. He has submitted further that the process under Section 82 of the Cr.P.C. has been issued.

Considering the above facts and circumstances, it is not a fit case for anticipatory bail to the petitioners. Their prayer for anticipatory bail is hereby rejected.

Office shall ensure that all defects are removed by the petitioners within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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