

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26648 of 2022

Arising Out of PS. Case No.-468 Year-2020 Thana- AURANGABAD TOWN District-
Aurangabad

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1. Arun Kahar @ Arun Prasad Son Of Budhan Kahar Resident Of Village - Tikari, P.S.- Town, Distt.- Aurangabad.
 2. Munna Kahar @ Munna Kumar @ Munna Chaudhery Son of Krishna Kahar @ Krishna Prasad Resident of Village - Tikari, P.s.- Town, Distt.- Aurangabad.
 3. Tinku Kumar @ Tinku Kahar Son of Arun Kahar @ Arun Prasad Resident of Village - Tikari, P.s.- Town, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rupa Kumari
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-11-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in

a case registered for the offences punishable under

Sections 147, 148, 149, 323, 324, 341, 302 of the

Indian Penal Code.

The prosecution case as per F.I.R is that son of

the informant Mehtab Alam was playing carom board

near his house. In the meantime, he heard that near Ara



Machine, an altercation is going on. The son of the informant went there and tried to intervene. It is specifically alleged against petitioner Nos. 1 and 3 that they gave knife blow to the son of the informant due to which, he fell down. The petitioner No. 2 also assaulted the injured. The injured was thereafter taken to the hospital but during treatment, he died.

It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in this case. It is further submitted that in the background of some altercation took place between two communities, this false case has been lodged against the petitioners. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail of the petitioners and submitted that it is the specific case of the petitioners that they stabbed the victim, as a



result of which, the victim succumbed to the injuries. The informant in his re-statement has also specifically alleged that the petitioners stabbed to the deceased. The witnesses have also supported the case of the prosecution.

In the facts and circumstance of the case, this Court is not inclined to grant privilege of anticipatory bail to the petitioners.

The prayer for grant of anticipatory bail to the petitioners stands rejected.

(Sunil Kumar Panwar, J)

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