

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35491 of 2022

Arising Out of PS. Case No.-160 Year-2022 Thana- KORHA District- Katihar

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1. JAY KUMAR @ MRITYUNJAY KUMAR S/o- Arun Sahni R/o- Ajampur, P.S.- Barari, Distt.- Katihar.
 2. Karan Kumar S/o- Arun Sahni R/o- Ajampur, P.S.- Barari, Distt.- Katihar.
 3. Vikram Kumar S/o- Raj Kumar R/o- Ajampur, P.S.- Barari, Distt.- Katihar.
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-08-2022 Heard learned counsel for the petitioners and learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period of four weeks.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 379/34 of the Indian Penal Code read with Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent.

The informant alleges that on 01.04.2022 at 12:00 noon when he was near Madhura Bridge at Madhura petitioner no. 1 and 2 assaulted the informant and took the keys of the motorcycle and kept the liquor in the dicky and informed the police and petitioner no. 3



assaulted the informant and snatched the gold locket and a mobile.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is next submitted that admittedly the alleged recovery of liquor was from the motorcycle of the informant and merely on the statement of the informant that the liquor was kept by the petitioners, they came to be implicated. It is further submitted that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners and the fact that petitioners are persons with clean antecedent, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.2,000/- (Rupees Two Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Korha P.S. Case No. 160 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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