

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42298 of 2022

Arising Out of PS. Case No.-67 Year-2021 Thana- SASARAM MUFFSIL District- Rohtas

1. BIPIN CHAUDHARY Son of Ramji Chaudhary Resident of Vill- Sitabigaha, P.S.- Sasaram, Dist.- Rohtas.
2. Babudhan Choudhari Son of Sarvan Chudhary Resident of Vill- Sitabigaha, Karwania, P.S.- Sasaram, Dist.- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pandey

For the Opposite Party/s : Mr. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-11-2022 Heard learned counsel for the petitionerS and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 332, 333, 353, 427, 225, 120B of the Indian Penal Code and Sections 25(1-b)a, 26, 27 and 35 of the Arms Act.

Allegation against the petitioners is that they along



with other co-accused persons attacked on police party and started pelting bricks and stone and succeed to free the other co-accused persons, namely, Sunil and Pappu from the custody of the police who were apprehended in connection with Sasaram(M) P.S. Case No.65/2021.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that seizure list witnesses are not the independent witnesses and seizure list has not been prepared as per Section 100 of the Cr.P.C. He further submits that petitioners have got no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the allegation levelled against the petitioners, I am not inclined to enlarge the petitioners on anticipatory bail in connection with Sasaram(M) P.S. Case No.67/2021. Accordingly, their prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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