

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54794 of 2021

Arising Out of PS. Case No.-131 Year-2013 Thana- ADAPUR District- East Champaran

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KUSH KUMAR @ KUSH KUMAR YADAV SON OF LATE RAM
CHARITRA YADAV RESIDENT VILLAGE - BARAWA KALA
GHORASAHAN, WARD NO. 13, P.O JHANJHARA, P.S- GHORASAHAN,
DIST- EAST CHAMPARAN. Petitioner/s

Versus

THE STATE OF BIHAR. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar
For the Opposite Party/s : Mr. Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-06-2022 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

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

The petitioners apprehend their arrest in Aadapur
P.S. Case No. 131 of 2013 registered for the offences
punishable under Sections 147, 148, 149, 448, 380, 447, 302 &
120B of the Indian Penal Code.

The allegation against the petitioner along with
other co-accused is that they killed the father of the informant.

It is submitted by learned counsel for the
petitioners that no such occurrence as alleged ever took place.



Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The specific allegation of over act is attributed against one Bindeshwari Rai and petitioner was only member of the mob.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected.

However, the petitioners are directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order on the very date of surrender considering the fact that there is no specific allegation against the petitioner and petitioner was only the member of the mob.

(Anjani Kumar Sharan, J)

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