

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.55305 of 2021

Arising Out of PS. Case No.-941 Year-2019 Thana- SASARAM NAGAR District- Rohtas

1. Vikash Choudhary Son of late Raj Kumar Choudhary Resident of Mohalla - Khidkighat, P.S. - Sasaram Town, District - Rohtas.
2. Golu Choudhary Son of Late Raj Kumar Choudhary Resident of Mohalla - Khidkighat, P.S. - Sasaram Town, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 59813 of 2021

Arising Out of PS. Case No.-941 Year-2019 Thana- SASARAM NAGAR District- Rohtas

Akash Chaudhary @ Akash Kumar Son Of Jokhan Chaudhary Resident Of Village - Khirkighat, P.S.- Sasaram (Town), Distt.- Rohtas At Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 55305 of 2021)

For the Petitioner/s : Mr.Abhinay Raj

For the Opposite Party/s : Mr.N. K. Agrawal

Mr. Anil Prasad Singh

(In CRIMINAL MISCELLANEOUS No. 59813 of 2021)

For the Petitioner/s : Mr.Chhote Lal Mishra

For the Opposite Party/s : Mr. N.K. Agrawal

Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 28-07-2022 Heard learned counsel for the petitioners,

informant 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, 341, 342, 323, 352, 307, 427, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per F.I.R is that all the F.I.R named accused persons including petitioners came at the door of the informant and started firing indiscriminately. It is specifically alleged against these petitioners that they shot fire at the informant but it did not hit him. However, due to indiscriminate firing, one Raja Rayen sustained gunshot injuries.

It is submitted by learned counsel for the petitioners that the present case is counter case of Sasaram Town P.S. Case No. 831 of 2019 which was lodged by the petitioners' side against the son of the informant for the murder of father of the petitioners. It is the case of the prosecution that no one received any gunshot injury and it is not specifically alleged against the petitioners that due to gunshot firing by the petitioners, Raja Rayen sustained gunshot injuries.



It is submitted by learned counsel for the informant that it is the specific case of the informant that petitioners shot fire at him and due to firing made by the petitioners, Raja Rayen received gunshot injuries. It is further submitted that petitioners have criminal antecedents as petitioner Vikash Choudhary is accused in three other cases apart from the present one, petitioner Golu Choudhary is involved in two other cases and petitioner Akash Chaudhary @ Akash Kumar is involved in one other case apart from the present one.

Considering the fact that petitioners have criminal antecedents, this Court is not inclined to grant anticipatory bail to the petitioners.

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

The petitioners are at liberty to surrender before learned Court below and pray for regular bail. The learned Court below may consider the prayer for



regular bail of the petitioners, without being prejudiced
by the order of this Court and in accordance with law.

(Sunil Kumar Panwar, J)

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