

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59935 of 2021

Arising Out of PS. Case No.-142 Year-2021 Thana- MANSI District- Khagaria

1. RUPESH SAH @ RUPESH KUMAR S/o Bengo Sah R/o Village - Rohiyar, P.S. - Mansi, District - Khagaria.
2. Chhotu Sah @ Chhotu Sao @ Mukesh Sah S/o Kirani Sah R/o Village - Rohiyar, P.S. - Mansi, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate
For the Opposite Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-04-2022 Heard learned counsel for the parties through video conferencing in view of COVID 19.

The two petitioners are in judicial custody in connection with Mansi P.S. Case No. 142 of 2021 registered under Sections 307, 353, 352 and 333/34 of the Indian Penal Code and Section 25(1-B), 26, 27 and 35 of the Arms Act.

The allegations against these petitioners are that upon secret information that accused, Chabila Yadav and other accused persons are armed with arms, the police party went and challenged them. It is alleged that the accused persons resorted to indiscriminate firing on the police party. The same was also returned by the police and the accused persons, who were



arrested from the spot was Chabila Yadav. The petitioners were nabbed after a hot chase in which too they resorted to firing.

The allegation against the petitioners are serious i.e. when the police intercepted and challenged them to surrender, they resorted to indiscriminate firing and tried to escape from the place. It was only after a good chase that the police party was able to nab these two petitioners.

Considering the kind of allegation as also the fact that both the petitioners have number of criminal cases under their respective belts, this Court is not inclined to grant any relief to them and the bail application is accordingly rejected.

Before parting, this Court would like to put on record the word of appreciation for Mr. Shiva Shankar Sharma, learned counsel appearing on behalf of the petitioners for the assistance rendered by him.

(Rajiv Roy, J)

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