

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6986 of 2021

Arising Out of PS. Case No.-70 Year-2020 Thana- BELAGANJ District- Gaya

1. PANKAJ DAS @ PANKAJ KUMAR MOCHI SON OF RAJ KUMAR DAS @ RAJ KUMAR MOCHI, RESIDENT OF VILLAGE- SHANKIR BIGHA TOLA NIMCHAK ,P.S- BELAGANJ, DISTT- GAYA.
2. CHUNCHUN DAS @ CHUNMUN MOCHI SON OF RAJ KUMAR DAS @ RAJ KUMAR MOCHI, RESIDENT OF VILLAGE- SHANKIR BIGHA TOLA NIMCHAK ,P.S- BELAGANJ, DISTT- GAYA.
3. SANJIT DAS @ SANJIT KUMAR SON OF GANESH DAS, RESIDENT OF VILLAGE- SHANKIR BIGHA TOLA NIMCHAK ,P.S- BELAGANJ, DISTT- GAYA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh
For the Opposite Party/s : Mr. Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

4 28-02-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners as well as Sri Ramchandra Singh, the learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Belaganj P.S. Case No. 70 of 2020 registered for offence punishable under sections 147, 148, 149, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code and section 27 of the



Arms Act.

The informant Mithilesh Yadav lodged FIR, stating therein that when he was sitting on his door, the accused persons including all the three petitioners came there. They started dragging him away and threatened him not to adduce the evidence in the earlier lodged case. Petitioner no. 1 fired shot, which hit the chest of the informant. Chunchun Das (petitioner no. 2) inflicted blow with the barrel of the rifle on the hand of Rampati Devi, the wife of the informant and she sustained fracture injury in her arms. When Shanti Devi raised hue and cry then she was also assaulted by co-accused Satan and Prem.

The learned counsel for the petitioners has submitted that in the year 2017, a case was lodged by the petitioners' side against the informant's side and the present case has been lodged due to previous enmity. He has also submitted that there is no specific allegation against petitioner no. 3, Sanjit Das.

On the other hand, the learned APP has submitted that the multiple injuries have been found on the persons of Mithilesh Yadav and his wife Rampati Devi and one injury on each person is grievous in nature.

Considering the above mentioned facts and circumstances, specially that the present petitioners were



making pressure upon the informant's side not to depose their evidence in the earlier lodged criminal case, it is not a fit case for anticipatory bail. Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

As per direction dated 28/01/2022 the office is directed to return the xerox copy of the case diary immediately.

(Nawneet Kumar Pandey , J)

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