

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58953 of 2022

Arising Out of PS. Case No.-656 Year-2021 Thana- FATUA District- Patna

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1. SANJIT KUMAR SON OF SHYAM DULAR RAI R/O VILLAGE- JANKI TOLA, P.S.- FATUHA, DISTT.- PATNA
 2. RAJU RAI SON OF LATE RAJENDRA RAI R/O VILLAGE- JANKI TOLA, P.S.- FATUHA, DISTT.- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Adv.
For the Opposite Party/s : Mr.Binod Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-12-2022 Heard the parties.

Petitioners apprehend their arrest in a case registered for offence punishable u/s 447, 341, 323, 325, 307, 504, 506, 34 of IPC and u/s 27 of Arms Act.

Allegedly, on account of some altercation, the accused persons named in F.I.R. including the petitioners along with incriminating articles came to the house of informant and started misbehaving with daughter in law of the brother of the informant. On objection, they started firing. Petitioner no.1 fired upon back side of body of Deepak Kumar and petitioner no.2 fired upon Laljit Kumar.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence.



They have been falsely implicated in this case due to previous enmity. No such occurrence, in the manner as alleged, has ever taken place. There is case and counter case between the parties. Though the allegation against the petitioners is that they fired upon Deepak Kumar and Laljit, but it is evident from their injury report that injuries are simple in nature. Petitioners have three criminal antecedents.

Learned APP for the State opposed the prayer for bail and submits that there is specific overt act against the petitioners.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge them on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

This application is accordingly dismissed.

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 on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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