

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8354 of 2023

Arising Out of PS. Case No.-368 Year-2022 Thana- RAMGARHWA District- East
Champaran

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1. Nagendra Patel Son of Ram Ayodhya Patel Resident of village - Raghunathpur, P.S.- Ramgarhwa, District - East Champaran.
 2. Shanti Devi Wife of Nagendra Patel Resident of village - Raghunathpur, P.S.- Ramgarhwa, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-04-2023 Heard both parties.

The petitioners apprehend their arrest in Ramgarhwa P.S. Case No. 368 of 2022, registered for the offences punishable under Sections 307, 379, 354 and other allied sections of the Indian Penal Code and sections 30(a), 45 of the Bihar Prohibition & Excise Act.

Prosecution case in brief is that on secret information a raid was conducted at the Shop of one Ganesh Patel. During course of search, 3 litres of Nepali wine has been recovered and when the police party proceeded with the seized article, the apprehended accused persons and petitioners came there and started raising slogans against the police, damaged the police



vehicle and forcibly tried to get released the apprehended accused from the police custody and also tried to snatch the arms. It is further alleged that the accused persons assaulted the constable Indrajeet Kumar Manjhi and one Home Guard Vijay Singh by means of sharp edged weapon, as a result of which they sustained injuries. The local *Chowkidar* identified the accused persons.

It is submitted on behalf of petitioners that there is general and omnibus allegation and no specific overt act has been alleged against these petitioners. Petitioners have been falsely implicated in this case simply because they are father and mother of co-accused Ganesh Patel. Petitioners claim clean antecedents.

Considering the facts aforesaid and the fact that due to commission of assault by the accused persons including petitioners, some of the police officials sustained injuries, I am not inclined to enlarge the petitioners above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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