

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25754 of 2023**

Arising Out of PS. Case No.-402 Year-2021 Thana- ROSERA District- Samastipur

Raja Jha @ Saket Kumar son of Shashidhar Jha @ Chunni Lal Jha
VILLAGE- KATHARBANNI, WARD NO. 10, ROSERA, P.S. ROSERA,
DISTRICT SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 14-07-2023 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Rosera Police Station Case No. 402 of 2021 (GR
No. 1274 of 2021), dated 16.12.2021, disclosing offences under
Sections 147/148/149/341/323/324/307/379 of the Indian Penal
Code and Section 27 of the Arms Act.

The prosecution case, on the basis of the First
Information Report, is that the informant purchased a piece of
land upon which co-accused Ranjeet Panjiar started making
construction and upon objection being raised by the informant,
the petitioner along with co-accused Ranjeet Panjiar resorted to
firing created terror and thereafter, the co-accused Ranjeet



Panjiar assaulted the cousin-brother of informant with dabia and altogether five accused persons assaulted the family members of the informant due to which three persons sustained injury.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case only because he happens to be a friend of co-accused Ranjeet Panjiar, who was allegedly making construction upon the land purchased by the petitioner. He further submit that the land in question belongs to co-accused Ranjeet Panjiar. He next submits that the name of the petitioner was added as on afterthought, which would be evident from the perusal of the First Information Report.

On the other hand, learned counsel for the State submits that during the investigation, the witnesses have supported the prosecution story and the petitioner is having criminal antecedent and altogether six cases are pending against him.

Having regard to the submissions made on behalf of the parties and taking into consideration the criminal antecedents of the petitioner, I am not inclined to grant the petitioner privilege of anticipatory bail, however, if the petitioner surrenders before the concerned court and seeks



regular bail, the same shall be considered by the learned Additional Chief Judicial Magistrate 1st Class, Rosera, on its own merit, without being prejudiced to the fact that the anticipatory bail of the petitioner has been rejected.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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