

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37842 of 2023

Arising Out of PS. Case No.-72 Year-2022 Thana- SAHEBGANJ District- Muzaffarpur

Guddu Kumar Son Of Bhageshwar Sahni Resident Of Village- Tajpur, Ps-
Baruraj, District- Muzaffarpur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Sahebganj P.S. Case No. 72 of 2022 registered for the offences punishable under Section 147, 148, 149, 302, 120(B) of the Indian Penal Code later on added u/s 25(1-b)a, 26, 35 Arms Act, pending in the Court of learned Additional Chief Judicial Magistrate-1st, (West) Muzaffarpur.

3. As per the prosecution case, the allegation against the petitioner is that he along with other co-accused persons have fired upon two persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that



the petitioner had earlier lodged an FIR against the informant's father and others and due to previous enmity the informant named the petitioner in this case. The petitioner has one criminal antecedent as mentioned in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that specific overt has been attributed against the petitioner. Hence, he does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, 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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