

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54635 of 2023

Arising Out of PS. Case No.-37 Year-2023 Thana- SONEPUR District- Saran

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1. Sunil Kumar Yadav @ Sunil Ray Son of Kameshwar Ray, Resident of Daudhaura Math, Ps- Sonepur, Dist- Saran.
 2. Sanjay Kumar @ Sanjay Ray Son of Kameshwar Ray, Resident of Daudhaura Math, Ps- Sonepur, Dist- Saran.
 3. Nannu Singh Son of Rajdeo Singh, Resident of Daudhaura Math, Ps- Sonepur, Dist- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Adv.
For the Opposite Party/s : Mr. Parmanand Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-08-2023 Learned counsel for the petitioners submits that during pendency of the present Cr. Misc. Application, the petitioner no.2 has been arrested, therefore, he is not pressing the present Cr. Misc. Application for petitioner no.2, namely, Sanjay Kumar @ Sanjay Ray.

2. Accordingly, learned counsel for the petitioner is pressing the present Cr. Misc. Application only for petitioner nos.1 & 3.

3. Heard learned Counsel for the petitioners and learned A.P.P. for the State.

4. The petitioner nos.1 & 3 are apprehending their



arrest in connection with Sonapur P.S. Case No. 37 of 2023 dated 14.01.2023, lodged under Section 452, 427, 307, 504, 506, 34 of the Indian Penal Code read with Section 27 of the Arms Act.

5. As per prosecution case, the F.I.R. has been lodged against six named accused persons with allegation that they have reached on two motorcycle to the house of informant and started abusing and firing. They threatened for life if the informant will not withdraw the Sonapur P.S. Case No.984 of 2022.

6. Learned counsel for the petitioner submits that petitioners are innocent and have not committed any offence. He further submits that informant and petitioners both are co-villager and due to land dispute the present occurrence took place. He also submits that allegation against the petitioners are general and omnibus. Learned counsel submits that petitioner no.1 has four criminal antecedents and petitioner no.3 has one criminal antecedent.

7. Learned A.P.P. for the State opposes the prayer for bail and submits that antecedents of petitioners are not clean as there are four criminal cases pending against petitioner no.1 and one criminal case is pending against petitioner no.3.



8. In the present facts and circumstances and the submissions made above, this Court is not inclined to extend the privilege of anticipatory bail to the petitioner nos.1 & 3 in connection with Sonapur P.S. Case No. 37 of 2023 to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra.

9. Accordingly, the prayer for anticipatory bail of the petitioners stands rejected.

10. However, the learned Court below shall consider the prayer for regular bail of the petitioners, if the petitioners surrenders within a period of six weeks.

11. The present order shall not cause any prejudice to the petitioners.

(Dr. Anshuman, J.)

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