

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57570 of 2023

Arising Out of PS. Case No.-70 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

1. PRADEEP RAI S/o Umesh Rai Resident of Village-Jamira, P.S.-Ara Muffasil, District-Bhojpur
2. DEEPAK RAI S/o Suresh Rai Resident of Village-Jamira, P.S.-Ara Muffasil, District-Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-12-2023 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Ara Muffasil P.S. Case No.70/2023 for the offences punishable under Section 307/34 of the Indian Penal Code and Section 25 (1-b) a, 26, 27 and 35 of the Arms Act.

3. The allegation against the petitioners is that they resorted firing by means of pistol upon the informant.

4. The petitioners are quite innocent and have been falsely implicated in this case due to previous grudge. The allegations levelled against the petitioners is general and omnibus in nature. It is further submitted that the petitioners



have been falsely implicated in this case only to save his neck from Ara Town P.S. Case No.339 of 2022 lodged by the petitioners' family. It is further submitted that no independent witness has supported the prosecution case. It is further submitted that the parties have compromised the matter. Petitioner no.1 has two criminal antecedents, whereas petitioner no.2 has one criminal antecedent, as mentioned in para-3 of this application.

5. Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

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