

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57232 of 2023

Arising Out of PS. Case No.-12 Year-2007 Thana- CHACKMEHSI District- Samastipur

1. Janamjay Thakur Son Of Sevak Thakur R/O Vill Kamargama, Ps- Kalyanpur, Dist- Samastipur
2. Ranjan Chaudhary Son Of Upendra Chaudhary Resident Of Village- Tira Jatmalpur, Ps- Kalyanpur, Distt- Samastipur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners in the present case are seeking pre-arrest bail in connection with Chakmehsi P.S. Case No. 12 of 2007 registered for the offenses punishable under Sections 323, 341, 504, 506, 379, 307, 354 and 34 of the Indian Penal Code. The petitioners have one criminal antecedent.

3. As per the prosecution story, when the informant along with her family members were sleeping in the house, the FIR named accused persons came at the door of the informant and assaulted the informant. The accused persons also tried to outrage the modesty of the informant. When the husband of the informant came to rescue her, he was also assaulted with pistol



butt. Ranjan Chaudhary and Nunu Mishra picked out Rs.900/- from the pocket of her husband and threatened to withdraw the earlier case lodged by the husband of the informant.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case.

5. Learned counsel submits that the co-accused Pankaj Kumar Chaudhary @ Pankaj Chaudhary and Nunu Mishra @ Pankaj Kumar Mishra have been granted anticipatory bail by this Court in Cr. Misc. No. 33057 of 2014.

6. Learned APP for the State has opposed the prayer for bail of the petitioner.

7. Having regard to the fact that in this case, the learned court below had taken cognizance and summoned the petitioners vide order dated 14.08.2008 but for about 15 years, the petitioners did not appear pursuant to summon and it is not the case of the petitioners that the summons were not served upon them, this Court is not inclined to grant privilege of anticipatory bail to the petitioners.

8. At this stage, a submission has been made that co-accused Pankaj Kumar Chaudhary @ Pankaj Chaudhary and Nunu Mishra @ Pankaj Kumar Mishra who stand of similar footing with the petitioners have been granted privilege of



anticipatory bail by this Court in Cr. Misc. No. 33057 of 2014.

9. Taking note of this submission, this Court directs that, in case, the petitioners surrender and pray for regular bail within a period of four weeks from today, their prayer for regular bail shall be considered by the learned court below keeping in view inter alia the order passed by this Court in Cr. Misc. No. 33057 of 2014, without being prejudiced by the order of this Court in the present application.

10. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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