

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56946 of 2022

Arising Out of PS. Case No.-21 Year-2022 Thana- RAJEPUR District- East Champaran

1. PRABHAT KUMAR BHARTI Son of Late Ramdeo Bharti Resident of Village - Naraha Pannapur, P.S.- Rajepur, District - East Champaran.
2. Mukesh Kumar Madhukar @ Mukesh Kumar Bharti Son of Late Ramdeo Bharti Resident of Village - Naraha Pannapur, P.S.- Rajepur, District - East Champaran.
3. Ramji Kumar Bharti Son of Late Ramdeo Bharti Resident of Village - Naraha Pannapur, P.S.- Rajepur, District - East Champaran.
4. Avinash Kumar Bharti Son of Prabhat Kumar Bharti Resident of Village - Naraha Pannapur, P.S.- Rajepur, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Giri

For the Opposite Party/s : Mr. Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-03-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 504, 506/34 of the Indian Penal Code and section 25 (1-b) a, 26, 35, 27 of Arms Act.

The allegation against the petitioners is that they alongwith other co-accused persons went to the informant and threatened him. According to the informant the petitioner no.2 order to shoot, on which petitioner no.1 fired but no one got injured.



It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He further submits that though there is a specific allegation against the petitioner no.1 to fire upon the informant but nobody has sustained injuries. Petitioner no.2 is the order giver and petitioner nos. 3 and 4 are only the member of mob. He further submits that earlier the petitioner has filed a case against the informant (Annexure-2). Petitioner nos.1, 2 and 4 have criminal antecedent and petitioner no.3 has no criminal antecedent, which is also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned



court below where the case is pending/Successor Court in connection with Rejepur P.S. Case No.21 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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