

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80783 of 2023

Arising Out of PS. Case No.-75 Year-2023 Thana- SAKRA District- Muzaffarpur

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1. Adarsh Kumar @ Deepak Kumar S/O Laxman Singh R/O Village-Sarmartpur, P.S- Sakra, Distt.- Muzaffarpur.
 2. Manmohan Kumar @ Manmohan Raj S/O Jaylal Singh R/O Village-Sarmartpur, P.S- Sakra, Distt.- Muzaffarpur.
 3. Abhishek Gupta @ Abhishek Kumar S/O Sanjay Sah @ Sanjay Gupta R/O Village- Sarmartpur, P.S- Sakra, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-12-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 447, 504, 506, 387 and 34 of the Indian Penal Code and Section 27 of the Arms Act pending in the learned court below.

3. Allegation against the petitioners is that they have pressurized the informant's side to withdraw Sakra P.S. Case No.61 of 2023 which was lodged by the informant because his daughter was kidnapped by the petitioners.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that the daughter of the informant was returned and her statement was recorded under Section 164



Cr.P.C. in which she stated that she was not kidnapped by anyone. He submits that there is no specific overt act against the petitioners. He further submits that petitioners have got one criminal antecedent as stated in para-3 of the bail application.

5. Per contra, learned APP for the State vehemently opposing the bail application and submits that police had recovered 5 empty cartridges near the gate of the informant but also accepted that there is no specific overt act against the petitioners to fire upon the house of the informant.

6. Considering the facts and circumstances of the case, it is not a fit case for bail in connection with Sakra P.S. Case No. 75 of 2023. Accordingly, their prayer for anticipatory bail is hereby rejected.

7. However, if petitioners surrender before the learned Court below within a period of six weeks from today and seek regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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