

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13823 of 2024

Arising Out of PS. Case No.-204 Year-2023 Thana- MANIHARI District- Katihar

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1. RAVI KUMAR, SON OF SUSHIL PANDIT, RESIDENT OF VILLAGE- GARAIYA, PS- PARBATT, DISTRICT- BHAGALPUR
 2. ANKUSH KUMAR, SON OF MOHANI @ MOHAN YADAV, RESIDENT OF VILLAGE- GARAIYA, PS- PARBATT, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Advocate
Mr. Rajendra Prasad Sah, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-03-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Manihari P.S. Case no. 204 of 2023 registered under section 393 of the Indian Penal Code.

3. As per the prosecution case, the informant states that the two accused persons came on a motorcycle and made an attempt to loot the informant's motorcycle. In the process, they started to assault with fists and slaps and the person sitting behind assaulted with an iron rod. On *halla* being raised, both the petitioners were caught at the place of occurrence.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. No such



occurrence as alleged has taken place. The manner of occurrence is other than what has been narrated in the FIR. No iron rod was recovered from any of the accused. The cause of false implication is the antecedents of the petitioners. They are in custody since 13.9.2023.

5. The prayer for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioners in the FIR, the petitioners having been arrested at the spot and the antecedent of the petitioners, the Court is not inclined to enlarge the petitioners on bail and the application is rejected.

7. Liberty is granted to the petitioners to renew their prayer for bail after six months or after framing of charge, whichever is later.

(Partha Sarthy, J)

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