

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23634 of 2024

Arising Out of PS. Case No.-81 Year-2018 Thana- ADAPUR District- East Champaran

1. Manjar Dewan @ Manjoor Dewan S/o Suman Dewan,
 2. Hayatun Nesa @ Haitun Nesa, W/o Manjar Dewan,
 3. Juman Dewan, S/o Manjar Dewan
- All are residents of Village- Rampur, P.O. Harpur, P.S. Harpur (Adapur),
District- East Champaran, Bihar, 845301

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohd Rustam Hussain, Advocate
For the Opposite Party/s : Mrs.Pushpa Sinha-1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Adapur (Harpur) P.S. Case No. 81 of 2018, registered for the alleged offences under Sections 147, 341, 323, 379, 427, 436, 504 and 506/34 of the Indian Penal Code.

3. As per prosecution case, the petitioners and other co-accused persons assaulted the informant and his family members and also tried to set on fire the kitchen of the informant.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The entire allegation is false and concocted. After



investigation, the police found the case true only under bailable sections. There is only simple injury or no injury on the victims and the allegation on this account is false and concocted. The petitioner no.3 has no criminal antecedent, whereas the petitioner nos. 1 and 2 are having criminal antecedent of one case.

5. Learned APP vehemently opposes the submission made on behalf of the petitioners. The learned APP submits that from the rejection order, it appears that charge sheet has been submitted under bailable sections of the Indian Penal Code and the petitioners were given the benefit of Section 41A as it appears from the rejection order. There is no apprehension of arrest to the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that charge sheet has been submitted under bailable offences, the anticipatory bail petition of the petitioners does not remain maintainable and hence, it is disposed of as such.

(Arun Kumar Jha, J)

V.K.Pandey/-

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