

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23917 of 2024

Arising Out of PS. Case No.-11 Year-2023 Thana- KHUTAUNA District- Madhubani

1. Shiv Kumar Mandal Son Of Lalit Narayan Mandal Resident Of Village- Murarpatti, P.S.- Khutauna, Dist.- Madhubani
2. Sant Kumar Mandal Son Of Vinod Kumar Mandal Resident Of Village- Murarpatti, P.S.- Khutauna, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav

For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-04-2024 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in Khutauna P.S. Case No. 11 of 2023 registered for the offences punishable under Sections 341, 323, 354, 427, 504, 307/34 of the Indian Penal Code and under Section 27 of the Arms Act.

3. As per the prosecution case, the petitioners along with other co-accused persons are said to have started firing and also disrobed the informant by pulling her blouse and saree.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in



this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that there is case and counter case between the parties and there is also admitted land dispute between the parties. He further submits that injury is found simple in nature. The petitioner no. 1 has three criminal antecedents and petitioner no. 2 has two criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that the petitioners are also involved in the present case.

6. Considering the facts and circumstances of case and the nature of the injury and the fact that the police has recovered some used cartridges from the place of occurrence, I am not inclined to enlarge the petitioners on anticipatory bail. The prayer for anticipatory bail of the petitioners is hereby rejected.

(Anjani Kumar Sharan, J)

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