

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25822 of 2024

Arising Out of PS. Case No.-42 Year-2024 Thana- RUPASPUR District- Patna

1. Sarthak Rai @ Tanuj Yadav son of Nagendra Rai R/o- 120, Gola Road, Ramjaypal Nagar DAnapur Ps- Rupaspur Dist- Patna
2. Adarsh Rai @ Nayan Yadav son of Nagendra Rai R/o- 120, Gola Road, Ramjaypal Nagar DAnapur Ps- Rupaspur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Awadhesh Kumar Mishra, Advocate Mr. Nand Kumar Sagar, Advocate Mr. Jitendra Kumar George, Advocate
For the State	:	Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 26-06-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 149, 323, 324, 326, 307 and 34 of the Indian Penal Code.

3. As per prosecution case, while the informant's cousin brother, namely Arvind Kumar Singh, who is an Executive Officer in Dhobhi Nagar Panchayat, was going to meet a friend at Gola Road, Patna, about 15 to 20 unknown persons stopped him and when he came out of the vehicle, all the persons attacked him with sharp edged weapon.

4. It is submitted by learned counsel appearing on behalf of the petitioners that the petitioners have been falsely implicated in this case. Petitioner No. 1 is a civil services



aspirant and Petitioner No. 2 is a trainee pilot. As a matter of fact, on the alleged date and time of occurrence, the petitioners were celebrating birthday of their friend at Gola Road in a hotel and they have nothing to do with the alleged incidence. It is next submitted that no incriminating articles have been recovered from the conscious possession of these petitioners. It is further submitted that the petitioners were not present at the place of occurrence and their names have been given only on the basis of hearsay. It is further submitted that the informant is not an eye witness of the alleged occurrence. Petitioners claim clean antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that these petitioners have mercilessly assaulted the cousin brother of the informant, who is a government employee, as a result of which he has sustained grievous injuries.

6. Considering the aforesaid facts and circumstances, nature of accusation and injuries sustained by the injured, the prayer for grant of anticipatory bail to the petitioners is rejected.

(Prabhat Kumar Singh, J)

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