

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28355 of 2024

Arising Out of PS. Case No.-1416 Year-2023 Thana- DANAPUR District- Patna

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1. Ramjani @ Rahul Kumar SON OF VIJAY YADAV Village- Janakdhari Lal Road, Danapur, P.S.- Danapur, Dist.- Patna
 2. ROHIT KUMAR SON OF RAJU PRASAD YADAV Village- Janakdhari Lal Road, Danapur, P.S.- Danapur, Dist.- Patna
 3. SURAJ KUMAR @ SURAJ RAI SON OF SANJEET RAI Village- Janakdhari Lal Road, Danapur, P.S.- Danapur, Dist.- Patna
 4. DHIRAJ KUMAR SON OF LALAN PRASAD Village- Janakdhari Lal Road, Danapur, P.S.- Danapur, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar Tiwary, Advocate
For the Opposite Party/s	:	Mrs. Rita Verma, APP
For the Informant	:	Mr. Suresh Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 10-07-2024 Heard learned counsel for the petitioners, learned counsel for the informant, learned APP for the State and perused the case diary.

2. The petitioners apprehend arrest in Danapur P.S. Case No. 1416 of 2023, registered under Section 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, the petitioners along with other co-accused persons fired on the door of the house of the informant due to which the empty cartridge fell inside the house of the informant.



4. Learned counsel for the petitioners submits that the petitioners are innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in the present case. No incriminating material have been recovered from the conscious possession of the petitioners. It is further submitted that there is general and omnibus allegation against these petitioners. During investigation the petitioners were not identified in the CCTV footage. The petitioners have got three criminal antecedents.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioners. Learned counsel for the informant submits that six round firing was made at the door of the informant and two part of empty cartridges were recovered. Hence, serious allegation is against the petitioners and they do not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances and the seriousness of allegation, this Court is not inclined to grant anticipatory bail to the petitioners.

7. The prayer is rejected. However, the petitioners are directed to surrender in the Court below within a period of four weeks and pray for regular bail. If such an application is filed,



the same shall be disposed by the Court below without being
prejudiced by this order.

(Rudra Prakash Mishra, J)

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