

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27860 of 2024

Arising Out of PS. Case No.-305 Year-2023 Thana- AURAI District- Muzaffarpur

1. Mukesh Shahi S/o Narayan Shahi R/o vill - Madhuban Besi, P.S. - Aurai, Distt. - Muzaffarpur
2. Narayan Shahi S/o Late Sitaram Shahi R/o vill - Madhuban Besi, P.S. - Aurai, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Nachiketa Jha, Advocate
For the State	:	Mr. Anuj Kumar Shrivastava, APP
For the Informant	:	Mr. Brahmaputra Singh Ishu, Advocate
		Ms. Poonam Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 10-07-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 342, 323, 324, 325, 307, 354, 504, 506, 363 and 34 of the Indian Penal Code.

3. As per prosecution case, while daughters of the informant were going to attend coaching classes, all the F.I.R. named accused persons, including this petitioner, riding on a scorpio car, on the point of pistol, kidnapped both daughters of the informant. It is further alleged that when daughters of the informant raised alarm and son of the informant came to their rescue, these petitioners, along with other co-accused persons, assaulted him by means of lathi and danda, as a result of which



he sustained multiple injuries.

4. It is submitted by learned counsel appearing on behalf of the petitioner that allegation of assault and kidnapping is general and omnibus. As a matter of fact, the present case is counter-blast of Aurai P.S. Case No. 294 of 2023, which was lodged by Petitioner No. 1 against the informant and others and only with a view to save their skin from the aforesaid case, this false and concocted case has been lodged.

5. On the other hand, learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to these petitioners and submitted that these petitioners are named in the F.I.R. and there is specific accusation of assault against them. It is next submitted that three persons sustained grievous injuries. It is further submitted that these petitioners have also got two criminal antecedents.

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

(Prabhat Kumar Singh, J)

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