

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32743 of 2024

Arising Out of PS. Case No.-573 Year-2016 Thana- SHASTRINAGAR District- Patna

1. Mohan @ Manmohan Prasad Son Of Late Ram Naresh Singh Resident Of Village- Nand Gaon P.S- Shastri Nagar, Dist.- Patna
2. Vicky Gautam Son Of Mohan @ Manmohan Prasad Resident Of Village- Nand Gaon P.S - Shastri Nagar, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-05-2024

Heard the parties.

2. The petitioners apprehend their arrest in connection with Shastri Nagar P.S. Case No. 573 of 2016 for the offence under Sections 341, 323, 337, 504, 379/34 of the I.P.C. lodged on 02.12.2016 by the informant, Animesh Kumar.

3. As per the prosecution story, the informant alleged that on 02.12.2016 even he was standing with his friend near Gandhi Statue, the accused persons first dashed the vehicle, from back, abused and then assaulted with helmet. The allegations is that they left but not before snatching the gold chain. The assault led to injuries on his head, chest and neck. Accordingly, the F.I.R.



4. Learned counsel for the petitioners submit that there is case and counter case relating to same occurrence and they have been framed only because number of cases against them.

5. Learned APP, Mr. Bharat Bhushan submits that not only they have criminal antecedent of the same nature in the same police station, the fact that they have lodged a counter case clearly belies their statement that they had no knowledge of the lodging of the F.I.R. in the Shastri Nagar P.S. Case No. 573 of 2023. they have delayed coming to the Court for eight years.

6. Taking into account the delay in coming to the Court coupled with the fact that they have criminal antecedent of the same nature that too with the Shastri Nagar Police Station, this Court is not inclined to extend them relief.

7. The anticipatory bail application stands rejected.

(Rajiv Roy, J)

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