

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49881 of 2024

Arising Out of PS. Case No.-169 Year-2021 Thana- NADI P.S. District- Patna

1. Binod Kumar @ Binod Kumar Singh, Son of Late Laddu Rai, R/O Vill.- Jethuli, P.S.- Nadi, Dist.- Patna.
2. Sudhir Kumar, Son of Binod Kumar @ Binod Kumar Singh, R/O Vill.- Jethuli, P.S.- Nadi, Dist.- Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rahul Rathour, Advocate
Mr. Vivek Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 30-08-2024

Heard learned counsel for the petitioners and learned

APP for the State.

2. The petitioners in the present case are seeking pre-arrest bail in connection with Nadi P.S. Case No. 169 of 2021 registered for the offences punishable under Sections 147, 148, 149, 314, 323, 379, 427, 307, 504, 506, 448 of the Indian Penal Code. They have got four criminal antecedents.

3. As per the prosecution story, the informant was running Brick Kiln over plot no.1548, Khata No. 171 since 11 years. It is alleged that all the F.I.R. named accused persons along with 50-60 other unknown persons having one dead body came at his land and tried to cremate at his land. When he opposed, they started firing with intention to commit murder and one pellet hit

at the chest of Satendra Kumar (informant’s brother). It is further alleged that Parmanand Rai assaulted Yogendra Rai from the butt of rifle.

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

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering that the petitioners are named in the first information report and it is alleged that they were involved in indiscriminate firing as also that they have got four criminal antecedents, this Court is not inclined to grant privilege of pre-arrest bail. The prayer for anticipatory bail of the petitioners is, thus, refused.

7. If the petitioners surrender and pray for regular bail in the learned court below within a period of four weeks from today, their prayer for regular bail shall be considered on its own merit without being prejudice by the order of this Court.

8. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

U		T	
---	--	---	--