

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54057 of 2023

Arising Out of PS. Case No.-852 Year-2022 Thana- BETTIAH CITY District- West
Champaran

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Chhotu Srivastava @ Anup Srivastava @ Anup Kumar Srivastava Son Of
Fulena Prasad Srivastava Resident Of Village- I T I Colony Jai Prakash
Nagar, Ps- Muffasil Betiah, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Y.C. Verma, Sr. Advocate

Mr. Anuj Kumar, Advocate

For the State : Mr. Jai Narain Thakur, APP

For the Informant : Mr. Iqbal Asif Niazi, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 13-12-2024 Heard learned senior counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. Petitioner is apprehending his arrest in connection with
Bettiah Town P.S. Case No.852 of 2022, registered for the offence
punishable u/s 147, 148, 149, 341, 323, 324, 307, 379, 385 of IPC
and 27 of Arms Act.

3. Allegedly, petitioner along with other co-accused persons is
said to have demanded extortion money. On protest, petitioner
and one another co-accused person started firing upon the
informant. When other persons came to save the informant,
accused persons assaulted them by means of sword, iron rod etc.
and also took away Rs.25,000/- from ticket counter.

4. It is submitted by learned senior counsel for the petitioner



that petitioner is quite innocent and has not committed any offence. He has been falsely implicated in this case due to ulterior motive. There is general and omnibus allegation against the petitioner to assault, demand ransom and commit theft. Except that specific allegation against the petitioner is to open fire which does not hit anyone. One of the co-accused person has been granted bail by this Court vide order dated 20.07.2023 passed in Cr. Misc. No. 31820 of 2023. Petitioner has one criminal antecedent as mentioned in para 3 of the bail application.

5. Learned APP for the State and learned counsel for the informant opposed the prayer for bail and submits that order under Section 82 and 83 of Cr.P.C. has already been issued against the petitioner and this fact is also confirmed in the case diary.

6. Considering the aforesaid facts and circumstances and the order issued, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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