

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61339 of 2024

Arising Out of PS. Case No.-120 Year-2024 Thana- DIDARGANJ District- Patna

1. Subodh Kumar S/O Sri Rabindra Singh Resident of Village and P.O- Fatehpur, P.S.- Didarganj, Dist- Patna (Bihar), Pin Code- 803206
2. Santosh Kumar S/O Sri Rabindra Singh Resident of Village and P.O- Fatehpur, P.S.- Didarganj, Dist- Patna (Bihar), Pin Code- 803206

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Chandra Shekhar Azad, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-10-2024 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Didarganj P.S. Case No.120 of 2024 for the offences punishable under Sections 341, 323, 324, 307, 504 & 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. While the informant had gone for holika dahan, the petitioners along with others are said to have abused and badly assaulted him sustaining severe injury to him. They also gave threatening to kill him.

4. The petitioners are quite innocent and have been falsely implicated in this case due to previous grudge. The allegations



levelled against the petitioners is general and omnibus in nature. It is further submitted that no offence under Section 307 IPC or Section 27 of the Arms Act has been made out against these petitioners. The petitioners have one criminal antecedent as mentioned in para-3 of this application.

5. *Per contra*, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

6. Considering the facts and circumstances of case and the nature of the allegation, I am not inclined to enlarge the petitioners on bail. The prayer for anticipatory bail of the petitioners is hereby rejected.

7. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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