

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78103 of 2024

Arising Out of PS. Case No.-24 Year-2019 Thana- SAKATPUR District- Darbhanga

1. Gopal Jha S/O Late Duni Jha R/O Village- Ujan, P.S- Sakatpur, Distt.- Darbhanga.
2. Baidya Nath Kamti @ Mancham Kamti S/O Yogendra Kamti R/O Village- Ujan, P.S- Sakatpur, Distt.- Darbhanga.
3. Durga Nand Jha S/O Gopal Jha R/O Village- Ujan, P.S- Sakatpur, Distt.- Darbhanga.
4. Kushe Mandal S/O Late Kishun Mandal R/O Village- Ujan, P.S- Sakatpur, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidyanath Prasad, Advocate

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 02-12-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Sakatpur PS case no. 24 of 2019, disclosing offences punishable under Section 353 and other allied sections of the Indian Penal Code.
3. The prosecution story, as per the First Information Report, is that on 21.03.2019 at 4:00 pm, when the informant was on law and order duty on the occasion of Holi, he was informed that at Masjid Chowk, one Suraj Kumar Choudhary



was beaten by Tannu and Mannu with hockey stick. When the informant reached there, he saw that all named accused persons including 50-60 unknown persons blocked the road and demanded to arrest Tannu. There was scuffle between two communities and when S.H.O. and S.D.P.O. reached there, the mob became furious and started to raise slogans against the Police.

4. Learned Counsel for the petitioners submits that petitioners have falsely been implicated in this case due to dirty village politics. Learned counsel further submits that no specific allegation is levelled against the petitioners rather the allegations are general and omnibus in nature. He also submits that injury report is not available on the record to corroborate the occurrence.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the occurrence took place in the year 2019 and the petitioners have preferred anticipatory bail application before the learned trial court in the year 2024 i.e. after five years of the occurrence and for the last five years, petitioners were evading their appearance, which shows denial of legal procedure and abuse of the process of law, accordingly, I am not inclined to grant



the privilege of anticipatory bail to the petitioners.

6. The prayer for anticipatory bail is, accordingly,
rejected.

(Anil Kumar Sinha, J)

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