

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80269 of 2024

Arising Out of PS. Case No.-236 Year-2024 Thana- MASAUDHI District- Patna

1. Mantu Kumar S/o Naresh Rai Resident of Village - Kharat, P.S.- Masaurhi, Distt.- Patna
2. Rahul Kumar S/o Ajay Yadav Resident of Village - Kharat, P.S.- Masaurhi, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-12-2024 Heard learned counsel for the petitioners and learned A.P.P.

for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 504 & 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The petitioners along with other co-accused is said to have abused and fired upon the informant.

4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to dirty village politics. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that no independent witness has come forward to support the



prosecution case. There is no injury report to substantiate the prosecution case. It is further submitted that both parties have compromised the matter. Petitioner no.1 has three criminal antecedents and out of three two are of similar nature of the offence, whereas petitioner no.2 has two criminal antecedents and both are under the Arms Act also as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail and submitted that considering the nature of the offence as also the criminal antecedents, the petitioners do not deserve anticipatory bail.

6. Considering the facts and circumstances of case and the criminal antecedents of the petitioners, I am not inclined to enlarge the petitioners on bail. The prayer for 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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