

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84051 of 2024

Arising Out of PS. Case No.-397 Year-2024 Thana- DIGHA District- Patna

1. Suraj kumar S/O Kundan Rai R/O Vill.- Railway Colony, Digha, P.S.- Digha, Dist.- Patna.
2. Karan Kumar @ Karan @ Mental Son of Kundan Rai R/O Vill.- Railway Colony, Digha, P.S.- Digha, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-12-2024 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Digha P.S. Case No.397 of 2024 for the offences punishable under Sections 279, 337, 427, 435, 354, 341, 323 and 325/34 of the Indian Penal Code.

3. While the informant was going by his Wagon-R car, two motorcycle borne persons came at high speed from opposite direction and hit his car. It is alleged that the petitioners assaulted Mozahid ansari, Rafi Haider and Shahina Pervin and they sustained injury on their person.

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 petitioners were going to Digha from motorcycle and informant was coming from wrong side, in that course motorcycle of the petitioners were touched and only due to that reason, informant planted false story and file this false case with false allegations. Petitioner no.1 has three criminal antecedents, whereas petitioner no.2 has eight criminal antecedents 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, 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 on the same day in accordance with law without being prejudiced by this order considering the judgment rendered in the case of



**Satendra Kumar Antil Vs. Central Bureau of Investigation
& Anr. Reported in (2022) 10 SCC 51.**

(Anjani Kumar Sharan, J)

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