

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83806 of 2023

Arising Out of PS. Case No.-472 Year-2023 Thana- DHANARUA District- Patna

1. CHHOTU KUMAR SON OF DINANATH PRASAD @ DINANTH RAM
RESIDENT OF RAILWAY QUARTER, JHOPADPATTI, NAIE HAWELI,
DHANARUA, NADWAN, P.S. - DHANARUA, DISTRICT - PATNA
2. NIRANJAN KUMAR @ LAMBU RAM SON OF DINANATH PRASAD
@ DINANTH RAM RESIDENT OF RAILWAY QUARTER,
JHOPADPATTI, NAIE HAWELI, DHANARUA, NADWAN, P.S. -
DHANARUA, DISTRICT - PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Prasad Sinha
For the Opposite Party/s : Mr. Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-03-2024 Heard learned counsel for the petitioners as well as
learned counsel for the State.

2. The petitioners apprehend their arrest in a case
registered for the offence punishable under Sections 341, 323,
504, 379, 325 of the Indian Penal Code.

3. The allegation against the petitioners is that he along
with other co-accused persons were firing upon few
shopkeepers and were demanding extortion money by
threatening them. When the police party reached there, they
escaped from the spot. The police is said to have recovered



empty cartridges from the spot.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to previous enmity. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. He further submits that petitioners along with their three brothers have been made accused in the present case. He further submits that there is no eye witness to the alleged occurrence. Petitioners have one criminal antecedent, which is also mentioned in para-3 of the bail application.

5. Learned APP for the State opposed the prayer for anticipatory bail by submitting that independent witnesses have supported the prosecution case.

6. Having regard to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

7. Accordingly, this application is dismissed.

8. However, if the petitioners surrender before the learned



Court below within a period of six weeks from today and seek
for regular bail, the learned Court below shall pass the order on
the same day in accordance with law.

(Anjani Kumar Sharan, J)

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