

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39003 of 2015

Arising Out of PS.Case No. -132 Year- 2015 Thana -AGAMKUAN District- PATNA

Hemant Kumar, S/o Brahamdeo Prasad, Resident of Village- Jamuara
Mirajapur, P.S. Hilsa, District Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Advocate

For the Opposite Party/s : Ms. Gulnar Begum (APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 16-12-2015 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Agamkuan P.S. Case No.132 of 2015 for allegedly having committed the offence under Sections 352, 307, 438, 120B/34 of the Indian Penal Code and Sections 13, 16, 18, 19 and 20 of the Explosive Substance and Unlawful Activities Act.

Learned counsel for the petitioner submits that though the occurrence has taken place in the house which was rented by him, there is no material so as to indicate the complicity of this petitioner. It is further submitted that the petitioner's name has surfaced only on the confessional

statement of one Kundan Kumar, who appears to be the main accused in this case. But on perusal of the case diary, the only statement, which has been made by the co-accused Kundan Kumar is that the petitioner along with his nephew Ashok Kumar was watching T.V. in the adjoining room.

Learned counsel for the State after perusal of the case diary submits that save and except the passing reference made in paragraph 41 of the case diary, there is no material so as to indicate the complicity of the petitioner.

So far as the case of Ashok Kumar is concerned, who was also alleged to have been watching the T.V. along with Kundan Kumar, this Court has extended the privilege of anticipatory bail in Cr.Misc. No.30427 of 2015, vide order dated 7.8.2015.

In view of the above facts and circumstances of the case and also that this petitioner has no criminal antecedents, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna, in

connection with Agamkuan P.S. Case No.132 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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