

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.47239 of 2016**

Arising Out of PS.Case No. -340 Year- 2015 Thana -AURANGABAD TOWN District-  
AURANGABAD

=====

Suraj Kumar son of Manoj Kumar Singh Resident of Vill- Beni, P.S- Mali,  
District- Aurangabad

.... .... Petitioner

Versus

1. The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Ajay Kumar Jha

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**  
ORAL ORDER

2      13-12-2016                      Heard learned counsel for the petitioner as well as the  
  
learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Aurangabad Town P.S. Case No. 340 of 2015 for the offences punishable under sections 365, 367 and 511/34 of the I.P.C as also section 27 of the Arms Act.

Allegedly, two unknown persons stopped the informant and both boarded on his motorcycle and the person who was sitting behind him touched the pistol and directed to go as per their direction but seeing assemblance of some persons the informant got down from the motorcycle and raised alarm and then the persons assembled there caught a man but the person who was having country made pistol succeeded in fleeing away and the



person who was caught disclosed his name as Chhotu Kumar and stated the name of the petitioner that he succeeded in fleeing away with pistol.

Submission is of false implication and that name of the petitioner has come in the confessional statement of co-accused which has got no value in the eye of law, the petitioner has got no criminal antecedent and he has been made victim of the police atrocity, the petitioner has got enmity with Chhotu Kumar resulting he has named the petitioner and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for bail.

In the facts and circumstances as stated above, considering that the name of petitioner was taken by the co-accused, the petitioner has got no criminal antecedent and as such the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order, shall 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. C.J.M. Aurangabad in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

**(Jitendra Mohan Sharma, J)**

Abhay/-

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