

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42910 of 2016

Arising Out of PS.Case No. -163 Year- 2015 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

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Ankit Kumar @ Amit Kumar Son of Sanjeev Kumar @ Saina Singh
Resident of village - Katardih, P.S. Katarisarai, District - Nalanda'

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jitendra Nath Tiwary

For the Opposite Party/s : Mr. Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-12-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Giriyak (Katarisarai) P.S. Case No. 163 of 2015 for the
offences instituted under Sections 302, 120(B)/34 of the Indian
Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner is that he along
with other co-accused used to make indiscriminate firing in the
village and when their acts have been protested, co-accused Bholi
Singh shot fire upon the father of the informant and when the
villager Pramod Singh protested, he was also shot fired by him.

It has been submitted on behalf of the petitioner that the
petitioner has falsely been implicated in the present case. There is
no allegation of tampering of witnesses alleged against the



petitioner. The occurrence is said to have been taken place due to partition of joint family property. No overt act or injury has been attributed against the petitioner. The main allegation is against Bholi Singh, who is said to have shot fire upon the deceased, causing his death. The petitioner is said to be the member of the unlawful assembly. The other co-accused have been granted anticipatory bail vide Annexure-2 series to the present application.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Giriyak (Katarisarai) P.S. Case No. 163 of 2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M.1st Class, Nalanda at Biharsharif, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J.)

Amit/-

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