

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24155 of 2017

Arising Out of PS.Case No. -59 Year- 2015 Thana -SALIMPUR District- PATNA

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1. Ribhanshu Kumar @ Ribhanshu Yadav Son of Bhatu Yadav, Resident of Village- Milki, P.S. Salimpur, District- Patna, at present- Nehru Nagar, P.S. Patliputra District Patna.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Satya Ranjan Sinha, Adv.

For the Opposite Party : Mr. Rajesh Kumar, APP 48

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 01-07-2017 Heard the learned counsel for the petitioner and the State.

This is a petition for grant of anticipatory bail for offence under Sections 302, 115 and 120B/34 of the Indian Penal Code and 27 of the Arms Act.

According to first information report, 8 to 10 miscreants came to the house of the informant, variously armed. They started firing which caused injury to Mukesh Kumar, the son of the informant, as a result whereof Mukesh Kumar died. In the light of torch, the petitioner and others co-accused were identified by the informant.

Submission of the learned counsel for the petitioner is that informant has not seen the actual occurrence of firing. After investigation, the police found accusation against the petitioner untrue and did not sent-up the petitioner for trial as there was no material against the petitioner.

The impugned order reveals that the learned Court



below has relied on the statement of the informant for refusal of the prayer for anticipatory bail.

Considering the fact that there is no specific accusation against the petitioner and the informant has not seen the actual occurrence of firing, let the petitioner, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each in connection with **Sessions Trial No. 834 of 2016** arising out of Salimpur P.S. Case No. 59 of 2015 to the satisfaction of the **Additional District Judge, I, Barh, Patna**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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