

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43678 of 2017

Arising Out of PS. Case No.-271 Year-2017 Thana- BEGUSARAI TOWN District- Begusarai

Abhishek Kumar, Son of Ram Vinay Rai, @ Vinay Singh, Resident of
Village- Chhitnaur, P.S.- Matihani, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Dhar Jha

For the Opposite Party/s : Mr. MRITUNJAY KUMAR NIRALA

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 19-12-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of
Begusarai Town Police Station Case No. 271 of 2017, disclosing
offences under Section 302/34 of the Indian Penal Code and
Section 27 of the Arms Act.

By order, dated 21.09.2017, case diary was called for,
which has been received. While calling for the case diary, the
Court had directed for taking no coercive step against the
petitioner, in the mean while.

Learned Counsel appearing on behalf of the petitioner has
submitted that there is no allegation in the First Information
Report against the petitioner of having assaulted the deceased. It



is being contended that allegation against the petitioner is of having assaulted the informant, who has not received any injury.

Learned Additional Public Prosecutor could not draw my attention to any material in the case diary on the basis of which he could counter the submission made on behalf of the petitioner.

In view of the fact that the petitioner had been granted interim protection by this Court and there is no material to connect him with the allegation of assault on the deceased, this application is allowed.

Let the petitioner, Abhishek Kumar, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Chief Judicial Magistrate, Begusarai, in connection with Begusarai Town Police Station Case No. 271 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail



bond shall be liable to be cancelled.

Prabhakar Anand/-

(Chakradhari Sharan Singh, J)

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