

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11989 of 2017

Arising Out of PS.Case No. -825 Year- 2015 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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Anup Kumar @ Nanhki Kumar @ Nanhki Son of Gopi Chand Prasad,
Resident of Village/Mohalla- Uttarwari Pokhara, Pakki Phulwari, Ward No.
6, P.S. Bettiah Town (Kalibag O.P.), District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Smt. Nirmala Kumari

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

ORAL ORDER

2 24-03-2017 Heard learned counsel for the petitioner and learned counsel
representing the State.

Petitioner seeks bail in connection with Bettiah Town.
(Kalibag O.P.) P. S. Case No. 825 of 2015 registered for the
offences punishable under Sections 147, 148, 149, 323, 384, 506,
379, 307 of the Indian Penal Code and Section 27 of the Arms
Act.

Allegedly, the petitioner and 5-6 persons surrounded the
informant and demanded Rs. 2000/- and on protest they abused
and started assaulting him, however, due to intervention of nearby
people he was saved and again when the informant went at Dwar
Devi Chauk then again the petitioner demanded money and one
Gopi Prasad and brothers of the petitioner along with other 5-6
persons became adamant to assault the informant, nearby persons



again intervened into the matter and saved him and then, they after forming unlawful assembly and the petitioner taking Katta in his hand opened fire but luckily the informant was saved and in the meantime they snatched the gold chain and cash of Rs. 1500/- from his pocket.

Submission is of false implication and that the prosecution story appears not probable and reliable, no injury has been caused to anyone, allegation regarding snatching of gold chain and cash of Rs. 1500/- are super addition, the petitioner is in custody since 18.03.2016 and as such the petitioner deserves sympathetic consideration.

Learned APP submits that the petitioner has got criminal antecedent as he is involved in several cases.

In the facts and circumstances stated above, considering the period of detention, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate – IV, Bettiah, West Champaran in connection with Bettiah Town (Kalibag O.P.) P.S. Case No. 825 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial



jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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