

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.68605 of 2018**

Arising Out of PS. Case No.-82 Year-2018 Thana- PAHARPUR District- East Champaran

Aditya Kashyap @ Bablu @ Aaditya Kashyap, S/o Rabindra Prasad, Resident  
of Village-Nauwa Dih Tola Satahan, P.S. Paharpur, Distt.-East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Sunil Kumar No.III, Advocate.  
For the Opposite Party : Mr. Binod Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      28-11-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is apprehending his arrest in a case for  
the offence registered under Sections 147, 148, 149, 341, 323,  
307, 379, 504 and 506/34 of the IPC.

The prosecution story, in brief, is that when the  
informant came out from his M/S. Prasad Agri. Co. and  
Industries Pvt. Cold Storage, Manguraha, after finishing his  
work for going to his residence then on the road from before  
Tuv of Mahindra Company bearing Registration Number BR-  
05R-9321 was parked there and seeing the informant, both the  
accused petitioners with 3-4 other persons having small country  
made gun surrounded him and both the accused persons did  
murderous attacked on him and his neck was tried to be pressed



by them with intention to kill. They were saying to shoot the informant. On hearing the writhing sound of the informant, the nearby people were coming to him. On seeing them petitioner Aditya Kumar Kashyap took out his chain from his neck and Rs. 20,000/- from the bag and all of them fled away towards Bettiah with one and the same vehicle.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Nature of injury is said to be simple. No offence under Section 307 of the IPC is made out. Rests of the offences are triable by the Magistrate.

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

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran, Motihari, in connection with Paharpur P.S. Case



No. 82 of 2018, subject to the conditions as laid down under  
Section 438(2) of the Code of Criminal Procedure.

U.K./-

**(Sudhir Singh, J)**

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

