

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.56288 of 2018

Arising Out of PS.Case No. -379 Year- 2017 Thana -SAHEBPUR KAMAL District- BEGUSARAI

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Raushan Kumar @ Ravi Ranjan Kumar, S/o Mahendra Yadav, R/o Vill.-
Heera Tol, P.S.- Sahebpur Kamal, District- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Viveka Nandsingh, Advocate.

For the Opposite Party : Mr. Nand Kishore Pd, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

4 11-10-2018 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, 452, 380,
307, 329, 504 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that the petitioner
and others entered into the house of the informant having with
pistol and made fire upon him with an intention to kill. Out of
which firing made by co-accused Ajeet Yadav which hit one Rubi
Devi and her two months child as a result of which they became
injured. Thereafter they fled away and pellet also hit on the horse
of the informant as a result of which his horse became injured.

It has been submitted by learned counsel for the
petitioner that the petitioner has been made accused in the present



case due to mistake of fact. There is no allegation of tampering with the witnesses alleged against the petitioner. There is no other substantive evidence to suggest the involvement of the petitioner in the present case. The petitioner is not alleged to be present at the place of occurrence on the alleged date and time of occurrence. No specific overt act is alleged against him nor any other injury is attributed against the petitioner. Other co-accused has been granted anticipatory bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 33454 of 2018 order dated 07.06.2018.

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 A.C.J.M. V, Begusarai, in connection with S. Kamal P.S. Case No. 379 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)