

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37742 of 2018

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Manish Kumar S/o Anil Singh, R/o Vill.- Ramdiri, P.S.- Matihani, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar Opposite party

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 02-07-2018

Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 307/511/34 of the Indian Penal Code.

The prosecution case as per the written report of Prince Kumar submitted to learned Ist Additional Sessions Judge, Begusarai is that the informant was produced from custody in connection with Sessions Trial No. 452 of 2017 when this petitioner was examined as a prosecution witness but this petitioner Manish Kumar and co-accused Rajnish Kumar pointed pistol on the informant and Rajnish also resorted to fire but it did not hit the informant.

It is submitted by learned counsel for the



petitioner of the present case Prince Kumar is a notorious criminal. He is accused in Begusarai P.S. Case No. 135 of 2017 registered under Sections 307/34 of the Indian Penal Code and 27 of the Arms Act wherein the petitioner is the informant since the informant of the present case killed the brother-in-law of the petitioner hence, on the date of occurrence, the petitioner went to depose in connection with the said case being Sessions Trial No. 452 of 2017. Actually, as a pressure tactics the present case has been lodged with malicious accusation. The attention of this Court has also been drawn to the written report submitted to Begusarai P.S. on 18.01.2018 by the petitioner to the effect that at the behest of the informant of the present case, miscreants resorted to fire at the house of the petitioner in order to pressurize him. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP, however, submits that the accusation is specific against the petitioner.

Considering the fact that the accusation has been levelled by an accused, who is assailant of the deceased brother-in-law of the petitioner, and petitioner went to depose against him coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent,



let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds 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 P.S. Case No. 42 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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