IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36669 of 2018

Arising Out of PS. Case No.-13 Year-2018 Thana- WARISNAGAR District- Samastipur

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Prabhat Kumar Rai @ Prabhat Kumar Prasun, S/o Vinod Ray @ Vinay Shankar Yadav, R/o Vill.- Muktapur, P.S.- Kalyanpur, District- Samastipur.

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

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Appearance :
For the Petitioner/s : Mr. Abhay Shankar Singh, Advocate
For the Opposite Party/s : Mr. Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

2 29-06-2018 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Warisnagar P.S. Case No.13 of 2018, registered for the offence punishable under Sections 147, 148, 149, 307, 323, 341, 354, 379 and 447 of the Indian Penal Code and under Section 27 of the Arms Act.

The informant is the shopkeeper, heard the sound of gun firing from the side of his house, he reached there and found that 70-80 antisocial elements were pelting stones over the house of the informant. It has further been alleged that

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Manish Kumar Yadav and Umashakar Yadav fired on the informant but he he managed to save himself. Allegation has been made against the petitioner that he took out Rs.13,000/- from the house of the informant.

Learned counsel for the petitioner submits that the petitioner is a student of B.A. and, ornamentally, allegation has been made that he has entered into the house of the informant and took out Rs.13,000/- and there is no any allegation of gun firing or pelting stones against the petitioner.

Looking to the entire facts and circumstances of the case, let the petitioner, namely, Prabhat Kumar Rai @ Prabhat Kumar Prasun, be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Samastipur, in connection with Warisnagar P.S. Case no.13 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the police will call the petitioner for the purposes of investigation and interrogation, he will remain present for the investigation. In the event of being absent on two

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consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

(Shivaji Pandey, J)

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