

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3223 of 2019

Arising Out of PS. Case No.-602 Year-2018 Thana- KANTI THARMAL POWER District-
Muzaffarpur

Abhishek @ Bittu Thakur son of Late Yaduvansh Thakur Resident of Village-
Kusi Harpur Ramni, P.S.- Kanti, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Neeraj Kumar @ Sanidh, Advcoate

For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 24-01-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection
with Kanti P.S. Case No. 602 of 2018 registered under Sections
307 the Indian Penal Code and Section 27 of the Arms Act.

It is submitted by the learned counsel for the
petitioner that there is considerable delay in institution of the
FIR. The reason behind the false implication of the petitioner,
who has no criminal antecedent, is that the informant had
borrowed money in cash from his father a year ago. When the
informant refused to return the amount and, on demand, insulted
his father, on protest made by the petitioner he has been falsely
implicated in this case. He contended that it is not believable
that repeated firings made from a close range would not hit



anyone.

On the other hand, learned counsel for the State submitted that though no injury has been caused to anyone, there is allegation that the petitioner opened fire twice.

Considering that no one was injured in the incident and the petitioner has got no criminal antecedent, as stated in para-3 of the application, in the event of arrest or surrender before the court below, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M (West) Muzaffarpur in connection with Kanti P.S. Case No. 602 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md. S/SKSuman.

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