

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4994 of 2019

Arising Out of PS. Case No.-190 Year-2017 Thana- BAKHTIYARPUR RAIL P.S. District-
Patna

-
-
1. Amarnath Kumar @ Amarnath, aged about 22 years, Male.
 2. Raja Kumar @ Raj Nath Aditya, aged about 21 years, Male.
Both Sons of Madhusudan Pandey @ Madhusudhan Kr. Sharma,
Resident of Indrapuri Barh P.S.- Barh, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 01-02-2019 The petitioners seek bail in anticipation of their arrest in connection with Bakhtiyarpur Rail P.S. Case No. 190 of 2017, dated 01.10.2017, instituted for the offences under Sections 147, 148, 149, 323 and 307 of the Indian Penal Code, Section 38(b) of the Bihar Prohibition and Excise Act, 2016 and Sections 25(1-B)a, 26, 35 and 27 of the Arms Act.

A tea vendor has alleged that while he was closing his shop, nine persons on three motorcycles came and made him prepare tea for them. Later, one of the persons pointed



pistol at his neck while demanding for the bills for the aforesaid cups of tea. The person who had pointed out the weapon was apprehended and he disclosed his name as Gautam Kumar. Aforesaid Gautam Kumar has taken the name of petitioners and others and that is how the name of the petitioners have been incorporated in the column of the accused persons.

The learned counsel for the petitioners has submitted that the petitioners were not arrested at the spot and the allegations leveled in the F.I.R., on face of it, appears to be over exaggerated. There is no specific accusation against the petitioners.

The petitioners are persons of clean antecedents and under similar circumstances, another named accused person of this case has been granted the privilege of anticipatory bail.

Considering the aforesaid facts, the petitioners above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of the present



order, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Bakhtiyarpur Rail P.S. Case No. 190 of 2017, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

U		T	
---	--	---	--

