

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28831 of 2019

Arising Out of PS. Case No.-255 Year-2017 Thana- TAJPUR District- Samastipur

Abhishek Kumar, aged about 23 years (Male), Son of Sri Satish Thakur @
Satish Kumar Thakur, Resident of Village- Repura, Police Station- Waini
(O.P.), District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar, Adv.

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-07-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 120B, 307/34, 324, 326 of the Indian Penal Code and 25 (1-B) A, 26, 35 of the Arms Act.

Learned counsel for the petitioner stated in prosecution story is that on 29.08.2017 at around 9 a.m. when informant along with his brother and mother were sitting at the gate of house three persons came on a motorcycle and Kanhaiya Kumar fired at him with pistol and when brother of the informant Saurabh Kumar @ Sonu Kumar tried to snatch the pistol, Kanhaiya Kumar also fired on him whereby Sonu got injured and his face and eye were blooded, when they raised alarm all three persons ran away. Due to bullet injury I



fell down as a result of which I could not recognize other two persons. The accused Kanhaiya Kumar arrested and in his confession accused Kanhaiya Kumar stated that planning for the murder of informant was made in a building situated in Samastipur Market and petitioner Abhishek Kumar was involved in the planning of murder of informant. In confession Kanhaiya Kumar confessed that he fired at informant for causing his death.

Learned counsel further stated that the petitioner is not named in the FIR. His name came in the confessional statement of accused Kanhaiya Kumar. There is no specific allegation against the petitioner and he has got no criminal antecedent.

Let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, 1st, Samastipur in connection with Tajpur (Waini O.P), P.S. Case No. 255 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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