

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35353 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- MANSI District- Khagaria

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Ankit Kumar, Gender Male, aged about 18, son of Tutu Yadav, Resident of
village Toufir Diyara P.S. Khagaria Dist. Khagaria. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Siddhartha Prasad

For the Opposite Party/s : Mr.Arbind Kumar Pandey (App 84)

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-06-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner has filed the instant application for anticipatory bail apprehending his arrest in connection with Mansi P.S. Case No. 11 of 2019 registered for the offences under Sections 341,342,307,386/34 of the Indian Penal Code and 27 of the Arms Act.

As per the allegation in the FIR, it is stated that while the informant was returning on his motorcycle with a sum of Rs. 50,000/- which he had taken by way of loan from his friend, the accused persons surrounded him. It is alleged that Suraj Kumar fired on him from his pistol but missed. Thereafter, Raushan Kumar fired on the informant which passed away touching his chest. It is further alleged that petitioner as also one Bairagi Yadav were also their associates. It is further stated that Raushan Kumar and Bairagi Yadav took away the informant's



motorcycle along with bag containing sum of Rs. 50,000/-.

It is submitted by learned counsel for the petitioner that from a bare reading of the FIR itself, it would transpire that the allegation of firing is against Suraj Kumar and Raushan Kumar. It is further submitted that even the injury on the informant has been found simple in nature. The petitioner has no criminal antecedent.

Having heard the learned counsel for the petitioner and the learned APP for the State, in view of the fact that the allegation of firing is not against the petitioner and that the petitioner has no criminal antecedent, the petitioner above named, in the event of his arrest or surrender in the court below within a period of six weeks from today in connection with Mansi P.S. Case No. 11 of 2019 is directed to be enlarged on bail on furnishing bail bond of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria subject to the conditions as laid down in Section 438 (2) of Criminal Procedure Code.

(Partha Sarthy, J)

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