

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35864 of 2019**

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

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Sampat Kumar (Male), aged about 22 years, Son of Chandrakishore Singh,
Resident of Village- Nathchak, P.S- Barh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Satyadeo Singh Yadav, APP

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 13-08-2019 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 147, 148, 149, 323 and 307 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition & 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 petitioner and that is how the name of the petitioner has been incorporated in the column of the



accused persons.

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

The petitioner is person of clean antecedent and under similar circumstances, another named accused person of this case has been granted the privilege of anticipatory bail by the Coordinate Bench of this Hon'ble Court in Cr. Misc. No. 4994 of 2019 dated 01.02.2019.

In the aforesaid facts and circumstances of the case, 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 in connection with Special Case No. 6674/2017 arising out of Bakhtiyarpur Rail P.S. Case No. 190 of 2017 to the satisfaction of the learned Special Judge, Excise, Patna, 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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