

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43771 of 2019

Arising Out of PS. Case No.-111 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

Abhay Kumar Son of Sri Devendra Pathak Resident of Village- Sahbajpur,
P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar

For the Opposite Party/s : Mrs. Rita Verma

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 13-09-2019 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner apprehends his arrest in connection with
Ahiyapur P.S. Case No. 111 of 2019 registered for the offence
punishable under Sections 324, 326, 307 and 120(B) of the
Indian Penal Code.

Petitioner, who happens to be Head Constable of
C.R.P.F. always torment the informant blaming her as
characterless lady, and by quizzing the informant about time and
place of leaving the house by her got her assaulted by means of
firearm inflicting firearm injury to her by two unknown
miscreants hatching conspiracy.

It is submitted by learned counsel for the petitioner
that the petitioner has no concern with the aforesaid occurrence.



He has been falsely implicated in this case merely on suspicion. At the time of occurrence, he was posted at Chhattisgarh as Head Constable of C.R.P.F. None of the independent witness has named the petitioner in the occurrence or divulged about conspiracy of the petitioner in the occurrence. Witnesses examined by the I.O. have not identified any of the accused in the occurrence. There is no cogent incriminating material in the case diary indicating complicity of the petitioner in the occurrence. Petitioner has no criminal antecedent.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Muzaffarpur in connection with Ahiyapur P.S. Case No. 111 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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