

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47184 of 2019

Arising Out of PS. Case No.-73 Year-2019 Thana- MATIHANI District- Begusarai

ANANT KUMAR, aged about 20 years, Male, Son of Kamal Kishor Singh,
Resident of Ramdiri Tola Nakti Ward No. 7, P.S.- Matihani, Distt – Begusarai
... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Rajendra Prasad Sah, Adv.

For the Opposite Party : Mr. Umesh Lal Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 30-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Matihani P.S. Case No. 73 of 2019 for the offences alleged
under Sections 414 of the Indian Penal Code and 25(1-b)a, 26
and 35 of the Arms Act.

The accusation is that in course of patrolling duty
three persons were seen on a motorcycle, when a signal was
given to stop the motorcycle, person who was driving the
motorcycle took out the pistol in the air and accelerated the
speed of motorcycle giving threatening, but, due to imbalance
the motorcycle fell down at a distance of 100-150 yards, but, all
fled away leaving the motorcycle.

The learned counsel appearing for the petitioner
submits that submits that the petitioner is not named in the first
information report nor he is the owner of the seized motorcycle.
In course of investigation Nandan Kumar @ Chhotu Kumar was



apprehended, who confessed his guilt and also disclosed the name of the petitioner as his associate. Further submission is that while the petitioner was accused in Mathiani P.S. Case No. 54 of 2010 registered under Sections 341, 323, 307 and 34 of the Indian Penal Code, but, the petitioner has been acquitted in the said case.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Matihani P.S. Case No. 73 of 2019 shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sri Juned Alam, Judicial Magistrate, 1st Class, Begusarai, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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