

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60763 of 2019

Arising Out of PS. Case No.-97 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

Rakesh Kumar @ Rakesh Sah, aged about 23 years, M, Son of Surendra Sah,
Resident of Village - Patepur, P.S.- Kartahan, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Adv.

For the Opposite Party/s : Mr. Raj Kishore Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-09-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection
with Hajipur Sadar P.S. Case No. 97 of 2019 registered under
sections 307/ 34 of the I.P.C and 27 Arms Act.

The allegation against the petitioner as per the first
information report, is that while the informant was returning
back his home along with his daughter and niece, he was
intercepted by three persons riding on motorcycle and the
persons who were sitting upon the motorcycle fired upon the
petitioner but same did not hit the petitioner and it has also been
alleged that another rider of the motorcycle again fired which
did not hit the petitioner.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in this case on the



basis of a concocted story inasmuch as both the parties are agnates and the petitioner has been implicated in this case due to the land dispute. Learned counsel further submits that there is no specific allegation of firing upon the petitioner and allegation of firing is general and omnibus and nobody has received any fire-arms injury.

Having regard the submission made by learned counsel for the parties and taking into consideration the fact that both the parties are agnates and there is land dispute between them, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on anticipatory bail by the Court below upon 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. Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 97 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

Anjula/-

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