

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71410 of 2019

Arising Out of PS. Case No.-154 Year-2018 Thana- RIGA District- Sitamarhi

Sunil Kumar Son of Sri Kusheshwar Das, Resident of Village- Hanuman Nagar (Tola of Pakri), P.O.- Sankhi, P.S.- Riga, District- Sitamarhi, Bihar -843302. In Fir Written as Village- Usarahiya, P.S. Riga, District- Sitamarhi.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Binod Kumar Labh

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-11-2019 Heard learned counsel for the petitioner and

learned Addl. Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection with Riga P.S. Case No.154 of 2018 registered for the offence under Sections 341, 385, 387, 307/34 of the Indian Penal Code and under Section 27 of the Arms Act.

Accusation against the petitioner is that the informant, who claims to be a vegetable seller, is stated to have been asked for Rs.10,000/-, if he desires to sell vegetables in the market. When the informant expressed his unwillingness, co-accused Birendra Mallik fired from his gun, hitting in his cheek.



It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case and there is no specific allegation against him. He further submits that the petitioner is a student having no criminal antecedent. He further submits that the informant does not sell vegetable in the local market, rather he sells the same in Delhi . It has been argued that similarly situated co-accused has been granted anticipatory bail vide order 17.12.2018 passed in Cr.Misc.No.66613 of 2018. Similarly, co-accused, namely, Bhaskar Kumar and Pintu Kumar have been granted bail vide order dated 25.10.2018 passed in Cr.Misc.No.63897 of 2018.

Learned Addl. Public Prosecutor has opposed the prayer for anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender within a period of six weeks from the date of receipt of the order, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Sitamarhi in



connection with Riga P.S. Case No.154 of 2018, subject to
conditions as laid down under Section 438(2) Cr.P.C.

(Anjani Kumar Sharan, J.)

nawalkrs/-

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