

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1198 of 2020

Arising Out of PS. Case No.-369 Year-2019 Thana- BARAUNI District- Begusarai

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Ankit Kumar Son of Manoj Singh Resident of Village- Adharpur, P.S.-
Teghra, District- Begusarai. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pravin Kumar, Advocate

For the Opposite Party/s : Mr.Ansar Ul Haque, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 20-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed by the petitioner in connection with Barauni (Garhara) P.S. Case no. 369 of 2019 registered for the offence punishable under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, while the informant was returning after seeing the mela, on way, he saw three accused persons after committing loot escaped on a motorcycle. It is stated that the informant chased the said motorcycle. One of the accused persons is stated to have fired which hit the brother of the informant in his chest. It is stated by the informant that he can identify the accused persons on seeing them again.



It is submitted by learned counsel for the petitioner that the name of the petitioner transpired in the confessional statement of a co-accused. No incriminating material has been recovered from the possession of the petitioner. It is further submitted that even as per the contents of the order of the learned Court below, it would transpire that the petitioner is not said to be the assailant but is said to be the person who was driving the motorcycle on which the other accused persons were sitting. It is finally submitted that inspite of the claim of the informant that he can identify the accused persons on seeing them again, the petitioner who is in custody since 23.10.2019 has not been put on T.I. Parade.

The application for bail has also been opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above including the fact that the petitioner was not assailant, he has not been put on T.I. Parade and is in custody since 22.10.2016, this Court is inclined to enlarge the petitioner on bail. Let the petitioner, above named, be enlarged on bail in connection with Barauni (Garhara) P.S. Case no. 369 of 2019 on his furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the



like amount each to the satisfaction of the learned Chief Judicial
Magistrate, Begusarai.

(Partha Sarthy, J)

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