

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7444 of 2020

Arising Out of PS. Case No.-157 Year-2018 Thana- NAUBATPUR District- Patna

=====

KANHAIYA KUMAR @ KANHAI KUMAR Son of Late Nawal Singh
Resident of Village - Barri Tengraila, p.S.- naubatpur, Distt.- patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi, Advocate

For the Opposite Party/s : Mr.Shantanu Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 02-03-2020 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Naubatpur P.S. Case No. 157 of 2018 registered under Sections 25(1B)(a),26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the informant has named four persons who had allegedly fired but this petitioner is not named among those four persons. Learned counsel further submits that the police has arrested those four persons who had allegedly fired and now the name of this petitioner has been brought in this case on the basis of the statement of one of the apprehended accused. Learned counsel also submits that nothing incriminating has



been recovered from the possession of the petitioner and that the name of the petitioner has been brought without there being any basis.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the informant has named four persons who had allegedly fired but this petitioner is not named among those four persons, further submission that the police has arrested those four persons who had allegedly fired and now the name of this petitioner has been brought in this case on the basis of the statement of one of the apprehended accused, nothing incriminating has been recovered from the possession of the petitioner and that the name of the petitioner has been brought without there being any basis, let the above-named petitioner, in the event of his arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned



Additional Chief Judicial Magistrate – II, Danapur, Patna,
in connection with Naubatpur P.S. Case No. 157 of 2018,
subject to condition as laid down under Section 438(2) of
the Cr.P.C. i.e.

(i) a condition that the person shall make himself
available for interrogation by a police officer as and when
required;

(ii) a condition that the person shall not, directly
or indirectly, make any inducement, threat or promise to any
person acquainted with the facts of the case so as to
dissuade him from disclosing such facts to the Court or to
any police officer;

(iii) a condition that the person shall not leave
India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

