

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4844 of 2020

Arising Out of PS. Case No.-75 Year-2019 Thana- NAGARNAUSA District- Nalanda

Somnath Kumar @ Somnath prasad, Son of Kishori Gope Resident of Village
- Khiru Bihga, P.S.- Nagarsausa, Distt - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Asha Kumari

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-03-2020 Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 379, 504 and 506 of the IPC and Section 27 of Arms Act.

The prosecution case, as per the written report of Amirak Prasad submitted to the Station House Officer, Nagarsausa Police Station, is to the effect that on 06.06.2019 at about 3.00 PM, after withdrawing Rs. 33,000/- from Punjab National Bank, the informant was returning to his home and as soon as the informant reached near his house, the petitioner resorted to fire which passed touching the neck of the informant, as a result, the informant fell down, in the meantime, all the FIR named



accused persons and ten unknown persons came and surrounded the informant whereas the petitioner took out said amount from his pocket and escaped from the scene. It is further alleged that all the accused persons resorted to fire and gave threatening to the informant.

It is submitted by the learned counsel for the petitioner that in the background of earlier dispute, the accusation has been levelled against the petitioner. Admittedly, the informant has not received gun-shot injury and petitioner has not been apprehended from the spot, and the accusation of taking away money is cosmetic in nature. A statement is made in paragraph no.3 that petitioner is also made accused in two other cases in which, he is on bail.

Learned APP submits that the petitioner is named in FIR with specific accusation.

Considering the nature of the accusation and the fact that the petitioner was not apprehended from the spot and the informant has not received any gun-shot injury, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to



the satisfaction of learned Additional Chief Judicial
Magistrate/Successor Court, Hilsa (Nalanda), in connection with
Nagarnausa P.S. Case No. 75 of 2019 subject to the condition as
laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

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