

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17922 of 2020

Arising Out of PS. Case No.-460 Year-2019 Thana- BARAUNI District- Begusarai

RAHUL KUMAR, aged about 27 years, Gender-Male, Son of Late Shatrudhan Mahto, Resident of Village-Rajwada, P.S.-Barauni, District-Begusarai.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Krishna Chandra, Advocate.
For the Opposite Party : Mr.Ramesh Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-07-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

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

The prosecution case, in short, is that on 13.10.2019 at about 7.30 P.M., all of sudden, Rahul Kumar (petitioner) and co-accused Aman Kumar, Badal Kumar, Ranjan Kumar, Niranjana Kumar, Tinku Kumar arms with pistol and Katta,



entered in the Mohalla and started abusing by taking name of social persons and on the order of Rahul Kumar (petitioner), they started firing. Rahul Kumar (petitioner) fired on the thumb of the informant.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. He has falsely been implicated in the present case. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. Injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned C.J.M., Begusarai, in connection with Garhara O.P. (Barauni) P.S. Case No. 460/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal



Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

U.K./-

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

