

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14744 of 2020

Arising Out of PS. Case No.-314 Year-2019 Thana- ARWAL District- Jehanabad

RAJAN KUMAR, S/O- Ashok Sao, R/O - Baidrabad, P.S. and District - Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rama Kant Singh, Adv.

For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-07-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 147, 148, 307, 323, 504 of the Indian Penal Code and Section 25 (1-B)a, 26, 27 of the Arms Act.

Prosecution case in brief is that the informant gave written application on 24.09.2019, eight persons came on my shop of Fish Market and they had threatened to kill them and started abusing with marpit. There is main dispute of quarrel was that he had given Rs. 7,000/- to Md. Mukhtar which is inhabitant of Kagji Mohalla. When I demanded money by phone then they spoke that we will not return your money whatever you can do and on 25.09.2019 at about 7.00 am they came with



eight persons near Sahay Hospital Kali Durga Mandir with pistol and started arguments in the meantime Md. Mukhtar attempted to kill him with pistol and did fire upon me but fire had become misfire. Then after shouting all persons one person which has kept Desi Katta without goli caught there and after asking his name is Vishkarma Kumar and also confessed the names of Md. Mukhtar and petitioner namely Rajan Kumar and Dhara kumar and other unknown persons.

Learned counsel for the petitioner submits that the petitioner is innocent and he has committed no offence. There is allegation against the co-accused namely Md. Mukhtar had fired upon the informant but became misfire. There is general and omnibus allegation against the petitioner and there is no recovery from the conscious possession of the petitioner. The petitioner has got no criminal antecedent.

Learned APP for the State opposes the prayer for bail petition.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (rupees twenty five



thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Arwal in connection with Arwal P.S. Case No. 314 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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