

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23888 of 2020

Arising Out of PS. Case No.-302 Year-2019 Thana- LALGANJ District- Vaishali

BAJRANGI KUMAR @ AMAN KUMAR S/o Late Vipin Kumar Resident of
Village- Pojhia, P.S.- Lalganj, Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Adv.
For the Opposite Party/s : Ms. Anita Kumari , APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-10-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Ms. Anita Kumari, the learned APP for the State.

This is an application for grant of anticipatory bail in connection with Lalganj P.S. Case No. 302 of 2019 registered for the offence punishable under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.



The case of the prosecution in brief is that on 12.08.2019 in between 9:00-10:00 AM. while the informant was filling soil at the door of his house, the cousin of the informant i.e. the petitioner herein and his aunt had seen him doing so whereupon the petitioner herein had informed somebody on the mobile phone and then the co-accused person, namely, Aditya Kumar, elder brother of the petitioner herein, had arrived at the said place of occurrence along with three-four accused persons and had asked the informant not to fill soil at the door of his house resulting in an altercation having taken place, whereafter co-accused person, namely, Aditya Kumar, is stated to have taken out a pistol from his waist and fired four bullets with the intention to kill the informant and then, the accused persons had fled away.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. It is further submitted that neither there is any allegation of



assault nor there is any allegation of firing gunshots on the informant, as far as the petitioner is concerned and he has been falsely roped in the present case with oblique motives.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that the petitioner is having a clean antecedent and moreover, no allegation of any sort of overt act has been levelled against him, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM XIV,



Vaishali at Hajipur in connection with Lalganj
P.S.Case No. 302 of 2019, subject to the conditions
as laid down under Section 438(2) of the Code of
Criminal Procedure.

(Mohit Kumar Shah, J)

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