

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30157 of 2020

Arising Out of PS. Case No.-143 Year-2020 Thana- NAUBATPUR District- Patna

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Anand Kumar @ Chhutihawa, aged about 21 years, Male, S/o Akhilesh Sharma, R/o Vill.-Samanpura, P.S.-Naubatpur, Distt.-Patna, at present residing at Vill.-Tarahi, P.S.-Naubatpur, Distt.-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Samrendra Kumar Jha, Advocate
For the State	:	Mr.Upendra Kumar, A.P.P.
For the Informant	:	Mr. Sharwan Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-12-2020 Heard the parties through the virtual court proceeding.

The petitioner seeks bail in connection with Naubatpur P.S. Case No. 143 of 2020 registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case in brief is that one Nitish Kumar, who happened to be the informant of this case alleged that when he was standing with his father at his sudha dairy shop near Nisharpura lakh, his father asked him that he is going to take tea at tea shop. Informant further alleged that when he reached near tea shop, three persons reached thereon motorcycle and out of three two persons surrounded his father and fired on him and fled away. Informant further alleged that he knew both



two persons and disclosed their name as Vikash Kumar and Anjani Kumar respectively. Informant further alleged that they have enmity with Vikash and due to this reason, Vikash killed his father under a conspiracy.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that the petitioner has been made accused on the basis of confessional statement of co-accused. On perusal of the F.I.R., there is specific allegation against the firing of two accused persons, namely, Vikas Kumar and Anjani Kumar. He further submits that the petitioner is in jail custody since 18.03.2020 and there is no specific overt act against the petitioner.

I have perused the record including the case diary. There is no specific allegation against the petitioner. Only the petitioner has been made accused on the basis of confessional statement of co-accused and petitioner has got no any criminal antecedent mentioned in paragraph-3 of the bail petition.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two



sureties of the like amount each to the satisfaction of learned
A.C.J.M.-II, Danapur, Patna in connection with Naubatpur P.S.
Case No. 143 of 2020.

(Anjani Kumar Sharan, J)

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