

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69730 of 2019

Arising Out of PS. Case No.-300 Year-2019 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

=====

Manish Kumar, male, aged about 33 years, Son of Sri Ram Kumar Goswami
Resident of Mohalla- Ramraji Road, Maripur, P.S.- Kazimohammadpur,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Abhay Kumar, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 16-03-2020

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with
Kazimohammadpur PS Case No. 300 of 2019 dated 04.08.2019
instituted under Sections 341, 323 and 504/307 of the Indian Penal
Code and 27 of the Arms Act.

3. The allegation against the petitioner and three others
is of inflicting firearm injury on the informant.

4. Learned counsel for the petitioner submitted that the
allegation against him is only of holding the informant and against
another co-accused is of firing. It was submitted that even the
injury report does not support the allegation of firing as one cut



has been found over left eyebrow and there is a cut over the occipital area and both have been found to be simple caused by hard blunt substance. It was submitted that similarly situated co-accused Prakash Kumar @ Bhulan @ Bulan has been granted anticipatory bail by a co-ordinate Bench on 18.01.2020 in Cr. Misc. No. 70222 of 2019.

5. Learned APP, from the case diary, did not controvert the fact that the injury has been found to be simple caused by hard blunt substance and that to the petitioner, the only role attributed is of holding the informant along with two other co-accused, including Prakash Kumar.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, 1st (East), Muzaffarpur in Kazimohammadpur PS Case No. 300 of 2019, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.



7. One of the bailors shall be a close relative of the petitioner. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
U	
T	

