

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76532 of 2019

Arising Out of PS. Case No.-409 Year-2019 Thana- KHAJEKALA District- Patna

SANJAY KUMAR, son of Banshi Sao, resident of Mohalla- Begam Ki Haveli,
St. Annes School ki Gali, Police Station-Khajekalan, Dist.-Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mr. Ansar Ul Haque

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in a case registered for the offence under sections 307, 326, 323, 120B, 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per allegation in the F.I.R., the informant states that while he was at the tea shop in the morning, three persons wearing helmets came on a motorcycle and one of them fired on him with intention to kill. The bullet went past touching him but he was saved. It is further stated that he is a member of political party and that as a result of transactions with respect to immovable property, there was differences between him and Kallu Sah as also Sanjay Kumar, the petitioner herein. They had



pressurized and also threatened him with dire consequences. As such, he is certain that it was Kallu Sah and the petitioner herein who had entered into a conspiracy and got the occurrence carried out by three persons.

It is submitted by learned counsel for the petitioner that from perusal of the F.I.R. itself it transpires that the allegations are general and omnibus in nature. Besides raising suspicion against Kallu Sah and the petitioner herein, no other material has been provided. It is further submitted that this petitioner has no criminal antecedent and the case of the petitioner stands on the similar footing to that of one other F.I.R. named accused Kallu Sah, who has been enlarged on anticipatory bail vide order dated 12.12.2019 passed in Cr. Misc. No. 82496 of 2019.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegations in the F.I.R. and grant of anticipatory bail of co-accused, the Court is inclined to enlarge the petitioner on bail. The petitioner, above named, in the event of his arrest or surrender in the Court below within a period of six weeks from today in connection with



Khajekalan P.S. Case No.409 of 2019 is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Patna City, subject to the conditions as laid down in section 438(2) of the Criminal Procedure Code.

(Partha Sarthy, J.)

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