

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11450 of 2021

Arising Out of PS. Case No.-264 Year-2018 Thana- TATARPUR District- Bhagalpur

1. ROHIT KUMAR Son of Vijay Singh Resident of Village - Kajwalichak Waslichak, P.S.- Tatarpur, Dist.- Bhagalpur.
2. Amit Kumar @ Pranjali Kumar @ Vetnar Son of Pramod Ram @ Pramod Kumar Ram Resident of Village - Tatarpur, Near Yateem Khana, P.S.- Tatarpur, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tarun Prasad Mandal
For the Opposite Party/s : Mr. Asha Devi

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-03-2021 Heard learned counsel for the petitioners and the State through virtual mode.

At the very outset, learned counsel for the petitioners submits that during pendency of this application, the petitioner No. 2 has been taken into judicial custody. Hence, he seeks permission to withdraw this application with regard to petitioner No.2.

Permission is granted.

Accordingly, this application with regard to petitioner No. 2 is dismissed as withdrawn.

Now the matter is confined to the petitioner No. 1 only.



The petitioner No. 1 is apprehending his arrest in a case registered under Sections 147, 148, 149, 341, 323, 504, 506 of the Indian Penal Code and 27 of the Arms Act.

Allegedly, while the informant was coming his home, in the way, the FIR named and some unknown persons intercepted him and started assaulting him. It is further alleged that one Rahul Kumar opened fire which hit in the thigh of the informant.

It has been submitted on behalf of the petitioner No. 1 that he has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner No. 1. The petitioner No. 1 has been falsely implicated in the present case. General and omnibus allegation has been made against the petitioner No. 1. No specific overt act is alleged against the petitioner No. 1. The other co-accused with similar allegation has been granted anticipatory bail by a coordinate bench of this court (then His Lordships was) vide order dated 07-05-2019 passed in Cr. Misc. No. 19808 of 2019.

On behalf of the State, it is submitted that the petitioner No. 1 is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner No. 1, above named, in the event of arrest or



surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Bhagalpur in connection with Tatarpur P.S. Case No. 264 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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