

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14948 of 2021**

Arising Out of PS. Case No.-596 Year-2019 Thana- MADHAURAH District- Saran

ANIKET KUMAR @ MUNNA GUPTA @ MUNNA, SON OF RAJ
KUMAR SAH, R/o village- Bhawalpur, P.S.- Marhowrah, District- Saran at
Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.P.K.Shahi, Sr. Adv.
	:	Mr.Ram Binod Singh, Adv.
For the Opposite Party/s	:	Mr.Harendra Pd., APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 08-07-2021 Heard learned senior counsel for the petitioner and
learned APP for the State through virtual court proceedings.

Learned senior counsel for the petitioner undertakes
to remove the defects as pointed out by the office within four
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 147, 148, 149, 323, 325, 326,
379, 332, 333, 307, 302, 504 and 120(b) of the Indian Penal
Code and Sections 25(1-b)a/26/35/27 of the Arms Act.

Allegation against the petitioner alongwith other
accused persons is said to have assaulted the police personnel by
discriminate firing over them due to which police personnel
injured and accused persons snatched pistol and AK 47 from



them.

Learned senior counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is not named in the FIR. On the basis of confessional statement of co-accused namely Abhishek Raj and Manoranjan Singh @ Bholu Singh @Bholu, he has been made accused in this case. The co-accused namely Manoranjan Singh @ Bholu Singh @Bholu has been granted bail by a co-ordinate Bench of this court vide order dated 20.03.2020 passed in Cr. Misc. No. 81598/2019 and other co-accused have also been granted bail by different co-ordinate Benches of this Court. The petitioner is languishing in judicial custody since 16.10.2020. The petitioner has got one criminal antecedent which is mentioned in para 3 of the bail petition.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the similarly situated co-accused have been granted bail, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Marhowrah P.S. Case No. 596/2019 to the satisfaction of learned Court below where the case is pending;



subject to the following conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will be given an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(3) that the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bond will be liable to be cancelled.

(4) that the petitioner will mark his attendance in the local police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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