

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20578 of 2021

Arising Out of PS. Case No.-592 Year-2020 Thana- BIHAR District- Nalanda

1. SACHIN KUMAR Son of Sugan Das Resident of Imadpur, P.S.- Bihar, District - Nalanda.
2. Raghuvir Das Son of Sugan Das Resident of - Imadpur, P.S.- Bihar, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Bihar P.S. Case no. 592 of 2020 instituted for the offence under Sections 147, 148, 149, 307, 353, 323 and 324 of the Indian Penal Code and Section 25(1-B) a-26, 27 and 35 of the Arms Act.

As per allegation in the FIR, a scuffle took place



between two groups. On information, police party reached there and on seeing them, some persons were trying to escape including the petitioner from the spot but on chase two persons, namely, Kanhaiya Das and Ravi Das were apprehended, who disclosed the name of this petitioner. Two loaded pistols were recovered from their conscious possession. In the said scuffle, Ravi Das has sustained bullet injury in his right leg.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. The name of the petitioner has been disclosed in this case by the apprehended persons, namely, Kanhaiya Das and Ravi Das, which has no evidentiary value in the eye of law. Specific allegation of firing at Ravi Das is against co-accused Lallu Kumar and not against this petitioner.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender



in connection with Bihar P.S. Case no. 592 of 2020, he will 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 learned CJM, Nalanda at Bihar Sharif subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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