

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22565 of 2020

Arising Out of PS. Case No.-1143 Year-2018 Thana- KANKARBAG District- Patna

ANISH KUMAR S/o Chandrashen Kumar @ Chandrashen Singh Resident of
Village- Chechaul, P.S.- Naubatpur, Distt- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak, Adv.

For the Opposite Party/s : Dr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 18-02-2021 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Kankarbagh P.S. Case no. 1143 of 2018 registered under sections 302, 307, 341, 323, 332, 333, 353, 186 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, on the police personnel receiving information, a raid was conducted and it is stated that in course of search, accused Ujjwal was seen along with his accomplices in the car. It is stated that one of his friends, who later on identified himself as Rajkamal, was arrested and in the firing by the accused persons, one of the police personnel namely Mukesh Kumar was seriously injured and later



succumbed to his injuries.

It is submitted by learned counsel for the petitioner that the petitioner was not named in the FIR. His name transpired in course of investigation, more than six months later in the confessional statement of co-accused Ujjwal made before police when he named the petitioner as being one of his accomplices. It is submitted that petitioner surrendered on 17.12.2019. He has not been put on T.I. parade and no incriminating material has been recovered from his possession. It is submitted that the petitioner had no criminal antecedent prior to his surrender on 17.12.2019, however, he has been implicated subsequently in different cases.

The application for bail is opposed by learned APP for the State who submits that it is a serious case in which one police personnel got injured and later on died.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the petitioner not having been put on T.I. parade and being in custody since 17.12.2019, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Kankarbagh P.S. Case no. 1143 of 2018 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 Judicial
Magistrate-1st Class, Patna.

(Partha Sarthy, J)

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