

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34788 of 2020

Arising Out of PS. Case No.-207 Year-2020 Thana- DANAPUR District- Patna

VISHWAJEET KUMAR @ RAJABABU, S/o Ganesh Lal, Resident of
Mohalla- Lalkothi, Sultanpur, P.S.- Danapur, District- Patna
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Ranjan Kumar Sinha, Adv.

For the Opposite Party : Mr. Jharkhandi Upadhyay, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 23-03-2021 As prayed for, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide it's note, dated 14.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Danapur P.S. Case No. 207 of 2020, registered under Sections 307, 341, 323, 325, 504 and 506/34 of the Indian Penal Code and 27 of the Arms Act.

The accusation is that in the evening of 11.03.2020, the informant, Banti @ Irshad, was in the way and when he reached on the chicken shop in the market, then, five persons, named in the first information report, including the petitioner, surrounded him, while the informant tried to flee away, then,



Abid caught hold him from back and all started to cause assault to him through lathi and sticks. In the meantime, Aftab Alam, father of Akbar, came there and ordered Abid to shot fire as informant has been released from jail, thereafter, Abid took out the pistol, then, informant started to flee away. But, Akbar caused injury on his cheek through lathi, then, he fell down and Abid fired through pistol, which hit on his belly and all fled away. In the meantime, father of the informant reached there and rushed to him at Sadar Hospital, Danapur, thereafter, he was referred to Patna Medical College and Hospital and later on Rajeshwari Hospital, Patna.

Submission is that in fact, the informant of the present case, Banti @ Irshad, is accused in Danapur P.S. Case No. 385 of 2019, instituted under Sections 147, 148, 149, 341, 323, 325, 307 and 302 of the Indian Penal Code in respect to murder of brother of co-accused, Abid, and in that case Mr. Ranjan Kumar Sinha, Advocate, was conducting the case on behalf of the informant of that case. This petitioner is the driver of Mr. Ranjan Kumar Sinha, due to that reason, the petitioner has been implicated in the present case without any overt act. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the



case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Danapur P.S. Case No. 207 of 2020 shall be released 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 Additional Chief Judicial Magistrate, I, Danapur, Patna, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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