

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2217 of 2021

Arising Out of PS. Case No.-202 Year-2020 Thana- BEUR District- Patna

AKASH KUMAR @ RAKESH KUMAR MANDAL Son of Late Nasib Lal
R/o Balamichak, P.S.- Gardanibagh, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kr. Sinha

For the Opposite Party/s : Mr. Ashok Kr. Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 23-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Beur P.S. Case no. 202 of 2020 instituted for the offence under Sections 302, 307, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, six miscreants armed with pistol, entered into the office of the informant and started indiscriminate firing upon the persons, who were sitting there, resulting into bullet injuries to several persons. One of the injured, namely, Rajesh Kumar was brought dead to the hospital.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no



offence. There is general and omnibus allegation against him. Infact, informant is not an eye witness of the present case rather he is eye witness of Dina Gope murder case i.e. Gardanibagh P.S. Case No. 176 of 2018. Specific allegation of threatening and making conspiracy is against co-accused Dina Yadav and not against this petitioner. He has been roped in the present case only because he happens to be the close relative of Dina Yadav.

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 Beur P.S. Case no. 202 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 ACJM-III, Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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