

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4614 of 2021

Arising Out of PS. Case No.-241 Year-2019 Thana- RUNISAIDPUR District- Sitamarhi

LALOO KUMAR S/O SURAJ DAS R/O VILLAGE-GARHA
BAHILWARA, P.S.-RUNNISAIDPUR, DISTRICT-SITAMARHI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-11-2021 Heard the learned counsel for the parties.

The petitioner apprehends his arrest in connection with Runnisaidpur P.S. Case No. 241 of 2019 for the offence punishable under sections 341, 324, 307/34 of the Indian Penal Code and Sections 25(1-b)a, 26 and 27 of the Arms Act.

The allegation is regarding four accused persons including the petitioner herein having arrived at the place of occurrence and while one of the co-accused persons namely Krishna Kumar had caught hold of the informant, the other accused person namely Roshan Kumar had fired with pistol with the intention to kill the informant and had caused firearm injury upon the informant.

The learned counsel for the petitioner has submitted that as far as the petitioner is concerned, he is innocent, has been



falsely implicated in the present case and is having a clean antecedent. It is submitted that the petitioner had neither caught hold of the informant nor had fired upon the informant and was merely sitting in the vehicle by which the accused persons had arrived at the place of occurrence. It is further submitted that there was previous enmity in between the informant and the co-accused person namely Krishna Kumar on account of certain money transactions.

Per contra, the learned APP for the State has vehemently opposed the prayer of the petitioner for grant of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the materials available on record and taking into account the fact that the petitioner is having a clean antecedent and is not having any role to play in the alleged occurrence in as much as he is neither the person who had caught hold of the informant nor he is the person who had fired gun shots on the informant, I deem it fit and proper to extend benefit of doubt to the petitioner for the purposes of grant of anticipatory bail.

Accordingly, in the event of arrest or surrender before the learned court below within a period of four weeks from



today, the petitioner, above-named, shall be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Runnisaipur P.S. Case No. 241 of 2019, subject to the conditions as laid down under section 438(2) of the Cr. P.C.

(Mohit Kumar Shah, J)

Tiwary/-

U		T	
---	--	---	--

