

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 16793 of 2021

Arising Out of PS. Case No.-167 Year-2020 Thana- LAKHISARAI District- Lakhisarai

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Ashok Kumar Singh Son Of Late Ram Kishun Singh Resident Of Village-
Mohanpur, P.S.- Pipariya, District- Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh, Advocate

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-05-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Learned Counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of four
weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 302, 120B/34 of the Indian Penal Code and
Sections 25(1-b)a, 26(i) and 27 of the Arms Act.

Prosecution case, in short, is that the F.I.R. named accused
persons along with two unknown persons made indiscriminate firing
upon the father of the informant resulting his death.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
has falsely been implicated in the present case. The petitioner is not



named in the F.I.R. nor any allegation of assault is alleged against him. The name of the petitioner has transpired in this case on the confessional statement of co-accused recorded under Section 161 of Cr.P.C. made before the police. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. No incriminating article is said to have been recovered from the possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is not named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Lakhisarai in connection with Lakhisarai P.S. case No.167 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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