

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20505 of 2022

Arising Out of PS. Case No.-258 Year-2021 Thana- GOPALPUR District- Patna

=====

UMESH RAI Son of Late Ambika Rai Resident of Village- Bairiya, P.S.-
Gopalpur, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rajesh Shankar Sinha

For the Opposite Party/s : Mr.Md. Matloob Rab

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-08-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 307, 504, 506 of the Indian Penal Code, Sections 25(1-b)a/26/27 of the Arms Act as well as under Section 37(b) (c) of the Bihar Prohibition and Excise Act.

Allegation against the co-accused is that he fired upon the son of the informant and this petitioner was also with the co-accused.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is further submitted that similarly co-accused, Ramesh Kumar has already been enlarged on anticipatory bail



by a different co-ordinate Bench of this Court vide order dated 25.03.2022, passed in Cr. Misc. No.9425 of 2022. It is submitted that no incriminating article or liquor has been recovered from the conscious possession of the petitioner and petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application.

Petitioner is ready to deposit a sum of Rs.5,000/- (rupees five thousand) in Bihar Kishore Nyay Nidhi, Apna Ghar, Near Lalit Bhawan, Bailey Road, Patna bearing Saving Bank Account No.35094613009, State Bank of India, Branch Name Patna Secretariat Sinchai Bhawan, Branch Code-153, IFSC Code-SBIN0000153.

Taking into consideration the fact aforesaid and the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Patna in connection with Gopalpur P.S. Case No.258 of 2021, arising out of Special Case No.4621 of 2021, subject to the conditions laid



down under Section 438 (2) of the Code of Criminal Procedure
as well as subject to the further conditions that:

(i) One of the bailors will be own blood relative of the
petitioner, preferably, father, mother, brother, sister and/or his
wife.

(ii) The petitioner shall not indulge himself in any
similar offence till conclusion of the trial.

(Anjani Kumar Sharan, J)

Sanjay/-

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

