

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30334 of 2021

Arising Out of PS. Case No.-104 Year-2020 Thana- TETERHAT District- Lakhisarai

ANANT KUMAR Son of Chunchun Choudhary Resident of Village -
Sharma, P.S.- Tetarhat, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr.H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-01-2022 Heard the parties through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within stipulated time, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case in connection with Tetarhat P.S. Case No.104 of 2020, registered for the offence punishable under Sections 341, 323, 307, 385, 379, 504/34 of the Indian Penal Code.

The allegation against the petitioner is that he along with one other accused was assaulting the informant's cousin and when the informant tried to rescue him, the



petitioner pointed pistol upon him and in the mean time, Sumant Kumar started firing by 'katta' upon informant's cousin, due to which he sustained head and eye injury and blood starting oozing out.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to old enmity. No such occurrence as alleged has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. The specific allegation of firing upon the informant's cousin is attributed to the co-accused Sumant Kumar. During treatment, the Doctor has not found any fire arm injury on the body of the victim. Petitioner has no criminal antecedent, as also mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the



satisfaction of the learned court below where the case is
pending/Successor Court in connection with Tetarhat P.S.
Case No.104 of 2020, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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