

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30309 of 2021

Arising Out of PS. Case No.-240 Year-2020 Thana- HILSA District- Nalanda

Prabhakar Kumar @ Kumar Raj Yadav S/o Pramod Kumar R/o village-
Marcha Mirchi, Ward No. 6, Bypass, P.S.- Bypass, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudal Singh, Adv.

For the Opposite Party/s : Mr. Murlidhar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-01-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through the virtual
court proceeding.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 147, 148,
149, 323, 379, 354A, 307 of the Indian Penal Code and Section
27 of the Arms Act.

Allegation against the petitioner is that he along with
other accused persons came armed with lathi, danda, iron rod
and country made Kutta and starting abusing the informant. On
objection, Avinash Kumar @ Kachhu started beating catching



color of the informant and made fire from pistol which hit at the neck of Komal Kumari. It is also alleged that petitioner along with 25 other persons entered into the house of informant and looted Rs. 10,000/-, house hold articles, Jewellery and fled away.

It is submitted by learned counsel for the petitioner that petitioner is innocent and has been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the petitioner. He submits that there is specific allegation of assault against co-accused Avinash Kumar @ Kachhu who fired upon the victim. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of the case and the fact that there is general and omnibus allegation against the petitioner, the above named petitioner 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 the learned court below where the case is pending/successor court in connection with Hilsa P.S. Case No. 240 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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