

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41653 of 2022

Arising Out of PS. Case No.-486 Year-2022 Thana- MADHEPURA District- Madhepura

1. CHHOTU KUMAR S/o- Mahendra mandal Resident of Village - Akdahara, P.s.- Madhepura (Bharrahi O.P.), District - Madhepura.
2. Vijay Kumar S/o- Mahendra Mandal Resident of Village - Akdahara, P.s.- Madhepura (Bharrahi O.P.), District - Madhepura.
3. Mahendra Mandal S/o- Late Badri Mandal Resident of Village - Akdahara, P.s.- Madhepura (Bharrahi O.P.), District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate
For the Opposite Party/s : Mr. Murli Dhar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-10-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners seeks permission
to withdraw the anticipatory bail application with respect to
petitioner no. 1 and 3.

Permission is accorded.

The petitioner no. 2 apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
504, 506 and 34 of the Indian Penal Code and Sections 25(1-
B)A, 26 and 35 of Arms Act.

The informant alleges that on 25.05.2022 at about



8:00 PM when he was going to his *bathan* when on the way the accused persons including the petitioner no. 2 appeared and started abusing him and on orders of Rajan Rishidev, co-accused Ranjit Mandal and Rajendra Mandal fired from their fire-arm over the informant but fortunately he did not get hit and on alarm villagers gathered and the arms were snatched from Rajendra Kumar.

The learned counsel for the petitioner no. 2 submits that petitioner no. 2 is a person with clean antecedent and from bare perusal of the allegation as alleged in the FIR it would manifest that no specific allegation has been alleged against the petitioner no. 2 and even as far as allegation of firing is alleged the same is ornamental in nature for the reason that no injury was caused. Learned counsel next submits that allegation of firing is against Ranjit Mandal and Rajendra Mandal.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner no. 2.

Considering the submissions made by the learned counsel for the petitioner no. 2, the petitioner no. 2 Vijay Kumar, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Madhepura P.S. Case No. 486 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

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