

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52372 of 2021

Arising Out of PS. Case No.-43 Year-2020 Thana- SUPAUL District- Supaul

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Bhimshankar Kumar @ Bhamshankar Kumar, Son Of - Parmeshwari Sah
Resident Of Village - Chakla Nirmali, Ward No. 7, P.S. - Supaul, District -
Supaul, State - Bihar.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kuldeep Kumar

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 144,
149, 447, 387, 341, 323, 365, 504, 307 of the Indian Penal Code
and Sections 37, 25(1-b)a, 26 and 35 of the Arms Act.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and informant
alleges that Md. Kadir, his neighbor Shivam Kumar @ Tiger
and Vivek Yadav came at his door on three motorcycle and
demanded extortion, but the students staying in the lodge and
the villagers came in support of the informant, when two
accused managed to escape and one Shivam Kumar was



apprehended, who fired from his country-made pistol. It is next alleged that the accused while fleeing, left two of the motorcycle.

The learned counsel for the informant has specifically named the accused persons, who had come for demanding extortion. It is next submitted that petitioner is not named in the F.I.R. His name transpired as one of the motorcycle, which was left at the place of occurrence, belonged to him.

The learned counsel for the petitioner submits that petitioner was known to Shivam Kumar and Shivam Kumar had taken his bike and petitioner was completely unaware that his friend would misuse his bike in the manner as it has been alleged in the F.I.R. It is lastly submitted that at the cost of the repetition that petitioner is a young man of 25 years and is not named in the F.I.R.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner and the fact that the petitioner is a person with clean antecedent and is not named in the F.I.R., the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks



from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Supaul P. S. Case No.43 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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