

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 44424 of 2022

Arising Out of PS. Case No.-295 Year-2021 Thana- MANER District- Patna

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ANGAD KUMAR @ ANGAD RAI SON OF LATE SHAMBHU RAI R/O
CHAKIYA TOLA, KHASPUR, P.S.- MANER, DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code & Section 27 of the Arms Act.

Learned counsel for the petitioner submits that petitioner has antecedent of one case and the informant alleges that on 26.04.2021 at 08:00 P.M., her husband received a call on his mobile from Akhilesh Rai's mobile number 9708843201, and Akhilesh Rai asked her husband to come to Sherpur, Ganga Ghat with food of 7-8 persons, it is next alleged that voice of Mithilesh and Upendra were coming from behind further, alleges that her husband left and when it was late in the night, the informant called on him and he disclosed that he will come



in a while but when her husband did not come till morning, it is alleged that the informant came to know that all the accused persons shot her husband dead. It is further alleged that she found out that Mithilesh, Akhilesh and Shambhu shot him rifle while other accused were holding him.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted from bare perusal of the FIR, it would manifest that the same appears to be cryptic and vague and at the same time, the informant is not an eye witness to the occurrence, it is next submitted that it absolutely does not stand to reason that if the husband of the informant had any inhibition with the accused persons including the petitioner, then he would not have gone to the place of occurrence on the calling of Akhilesh Rai, it is also submitted that from perusal of the allegation, it also manifests that informant had called her husband when he was getting late and he responded that he will come in a while and at that point of time also he did not raise any apprehension or suspicion with regard to the conduct of the accused persons including the petitioner. Learned counsel thus submits that the entire allegation hinges around suspicion.

Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, 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, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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 Maner P.S. Case No. 295 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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