

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60540 of 2021

Arising Out of PS. Case No.-398 Year-2021 Thana- BIHTA District- Patna

1. CHANDAN KUMAR Son of Sri Shachidanand Sharma Resident of Village - Amhara, P.S.- Bihta, Distt.- Patna.
2. Raushan Kumar Son of Late Rakesh Ranjan Sharma Resident of Village - Amhara, P.S.- Bihta, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vipin Kumar Singh, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-07-2022 At the very outset, learned counsel for the petitioners seeks permission to withdraw the petition of petitioner no.2, namely, Raushan Kumar.

Permission is accorded.

Accordingly, the petition of petitioner no.2, namely, Raushan Kumar is dismissed as withdrawn.

Heard learned counsel for the petitioner no.1 and learned APP for the State and perused the case diary.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 341, 323, 342, 379, 307 and 427 of the Indian Penal Code and Section 27 of the Arms Act.



It is a case of assaulting and opening fire and taking away of Rs.10,00,000/- from the cash counter of the informant by the accused persons including the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that there is case and counter case between the parties and in opening fire, no one sustained injury and no stolen money was recovered from the possession of petitioner no.1. There is general and omnibus allegation against petitioner no.1 and the main allegation of firing is against Atish Kumar and Ajay Kumar and petitioner no.1 has not been apprehended at the spot.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid submissions, let the petitioner, namely, Chandan Kumar in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-I, Danapur, Patna in connection with Bihta P.S. Case No. 398 of 2021, subject to the conditions as laid down under Section



438(2) of the Cr.P.C.

However, the petitioner no.2, namely, Raushan Kumar is directed to surrender before the court below and pray for regular bail and the court below may consider his prayer for regular bail without being prejudiced by this order.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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