

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.681 of 2022

Arising Out of PS. Case No.-188 Year-2019 Thana- BAKHTIYARPUR District- Patna

PAREM KUMAR @ DHANANJAY KUMAR @ DHANANJAY YADAV @
P. K. YADAV @ PREM KUMAR SON OF RAMDAYAL RAY RESIDENT
OF VILLAGE- HAKIKATPUR, P.S- BAKHTIYARPUR, DIST- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey
For the Opposite Party/s : Mr.M. Kumar,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 26-04-2022 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the offence under Sections 341, 323, 448, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, on 10.06.2019, this petitioner and other person snatched Rs. 1500/- cash and a golden locket on gun point from the nephew of the informant and also threatened not to lodge any case, otherwise he would be killed and thereafter, in the night of same day i.e. 10.06.2019, all the F.I.R. named accused persons including this petitioner and some unknown persons, armed with weapons, attacked on the house of informant and made indiscriminate firing.

It is submitted on behalf of petitioner that though, there is allegation of indiscriminate firing, but no one sustained



any injury. In the F.I.R., there is no allegation that petitioner or any person has tried to kill the informant or any person and as such, no case under Section 307 of the I.P.C. is made out. The alleged occurrence is said to have taken place in night, but no source of identification has been disclosed. Petitioner is in custody since 25.11.2019.

However, learned A.P.P. for the State vehemently opposed the prayer for bail and submitted that petitioner is named in the F.I.R. and has been identified by the informant while fleeing from the place of occurrence. It is further submitted that petitioner has got criminal antecedent also and he is accused in altogether 18 cases.

Considering the nature of accusation and criminal antecedent of petitioner, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected. However, it is observed that if the trial is not concluded within a period of one year from the date of receipt / production of copy of this order, the petitioner would be at liberty to renew his prayer for bail.

(Prabhat Kumar Singh, J.)

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