

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2862 of 2023

Arising Out of PS. Case No.-435 Year-2022 Thana- BARAUNI District- Begusarai

NITISH KUMAR SINGH @ CHHITAN SINGH Son of Ramnikant Singh
R/o Asurari, P.S- Barauni, Dist- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Mokhtar Ansari

For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Barauni P.S. Case No.435 of 2022, registered for the offences punishable under Sections 341, 307 and 34 of the Indian Penal Code as well as under Section 27 of the Arms Act.

The petitioner and other co-accused persons are said to have fired upon the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that no specific overt act is alleged against the petitioner rather the allegation is general and omnibus. It is also submitted that it



is not clear from the FIR that who fired upon the informant.

The learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner by submitting that from perusal of the order impugned, it is clear that the injury is grievous in nature.

Considering the fact that no specific overt act is alleged against the petitioner, let 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 enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai in connection with Barauni P.S. Case No.435 of 2022, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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