

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10722 of 2022

Arising Out of PS. Case No.-104 Year-2020 Thana- TETERHAT District- Lakhisarai

Sumant Kumar @ Sushant Kumar Son Of Nepal Chaudhary @ Sankar
Chodhari Resident Of Village - Sharma, P.S.- Tetarhat, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Ms. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-02-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner undertakes to
remove the defect (s), as pointed out by the office, within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
307, 385, 379, 504 and 34 of the Indian Penal Code.

Allegation against the petitioner is that he had fired
upon the cousin brother of the informant by *katta* (firearm)
causing injury on his head and eye.

Learned counsel for the petitioner submits that the
has been falsely implicated in this case. The allegation levelled
against the petitioner is not specific rather general and omnibus in
nature. He submits that due to old animosity, the petitioner has
falsely been implicated in the present case. He further submits



that during the treatment doctor had not found any firearm injury on the cousin brother of the informant. The injury sustained by the victim is simple in nature. Similarly situated co-accused, namely, Anant Kumar, has been enlarged on bail by a co-ordinate bench of this court vide order dated 19.01.2022, passed in Cr. Misc. No. 30334 of 2022. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned A.P.P. for the State opposes the prayer of the petitioner for anticipatory bail.

Having regard to the facts and circumstances of the case and the fact that the injury was simple in nature, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Tetarhat P.S. Case No. 104 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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