

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.12547 of 2023

Arising Out of PS. Case No.-313 Year-2022 Thana- CHERIYA BARIYARPUR District- Begusarai

Abhishek Kumar Son Of Anil Paswan Residetn Of Village - Sakarbasa, Ward No.- 3, P.S.- Cheriya Bariyarpur, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nakul Kumar Jamuar

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 385, 504, 506 of the Indian Penal Code and Section 25(1-b) a, 26 of the Arms Act.

As per FIR, petitioner came at the place of occurrence and started abusing the informant and also demanded Rangdari of Rs. 20,000/-.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the petitioner neither was caught nor the alleged pistol was recovered from his possession but only to harass, he has been made accused in this case. He submits that the alleged pistol has been produced without any cartridge which is apparently useless and the allegation by the informant relating to demonstrating of pistol without cartridge appears to



be false and absurd. He submits that the petitioner is the student. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioner 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 the learned court below where the case is pending/successor court in connection with Cheriabariyarpur P.S. Case No. 313 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

However, the learned court below shall accept the bail bond of the petitioner after verifying the fact that the petitioner has got no criminal antecedent.

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(Anjani Kumar Sharan, J)

