

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14223 of 2023

Arising Out of PS. Case No.-166 Year-2022 Thana- SULTANGANJ District- Patna

Bhondu @ Jibran Imam Son Of Md. Kalam R/V Karbala Kaku More, Dargah
Road, P.S.- Sultanganj, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate Mr.Madhav Raj, Advocate Ms. Priyanka Singh, Advocate
For the Opposite Party/s :		Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Sultanganj P.S. Case No. 166 of 2022 registered for the offences punishable under Sections 341, 324, 302/34 of the Indian Penal Code and 27 of the Arms Act. He has no criminal antecedent as stated in paragraph ‘3’ of the application.

Learned senior counsel for the petitioner submits that in this case the informant is not an eye witness and the F.I.R. itself has been lodged after police had already prepared the inquest and the post-mortem of the dead body was conducted. It is submitted that the petitioner has been falsely implicated in



this case.

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

Having regard to the facts and circumstances of the case wherein this Court has noticed that according to the informant his sister is an eye witness and she has stated that petitioner had made 3 – 4 round of firing upon the deceased resulting in his killing, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is, thus, refused.

In case the petitioner surrenders and prays for regular bail in the learned court below within a period of four weeks from today, his prayer for regular bail shall be considered on it's own merit keeping in view the parameters for grant of regular bail and the court shall not be prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

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