

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20160 of 2023

Arising Out of PS. Case No.-294 Year-2019 Thana- KHAJANCHI HAT District- Purnia

AMIT ROY @ GUDDU ROY @ AMIT KUMAR Son of Late Ashok Roy
Resident of Line Bazar, Purnea, Barihat, Durga Mandir, Purnea, P.S.- K. Hat
(Sahayak), District - Purnea 854301.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 325, 307 and 302 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that Pushpesh along with his brother Akash was going for a *panchayati* when they were intercepted by accused persons and Shankar assaulted his brother on head by bamboo along with other named accused persons and even assaulted Narul and Pushpesh but they managed to flee, it is next alleged that Pushpesh disclosed about the occurrence and his brother was



brought to the hospital where he was under treatment in a serious condition and subsequently succumbed to his injuries.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that Pushpesh had witnessed the occurrence and accordingly had disclosed to the informant but then he did not name the petitioner, it is next submitted that petitioner came to be implicated based on CCTV footage but then it is not the case of the prosecution that petitioner was also indulging in assaulting the deceased or his friend. Learned counsel next submitted that petitioner is not associated in any manner with the named accused persons and since the occurrence took place near his house, as such he came out of his house to witness the occurrence when his picture was captured in the CCTV.

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

Considering the submissions made by the learned counsel for the petitioner, the 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 released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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 K. Hat (Sahayak) P.S. Case No. 294 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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