

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18117 of 2023

Arising Out of PS. Case No.-651 Year-2022 Thana- JAKKANPUR District- Patna

Prakash Kumar @ Banty Kumar S/o Shri Arun Sah @ Arun Kumar Sah R/o
Mohalla-Meena Bazar, P.S- Sonpur, Distt- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Ansul, Advocate
For the State : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 27-06-2023 Heard both sides.

Petitioner apprehends his arrest in connection with
Jakkanpur P.S. Case No.651 of 2022, registered for the offences
punishable under Sections 302/34 of the Indian Penal Code and
Section 27 of the Arms Act.

Accusation against the petitioner and other co-accused
persons is of killing the brother of the informant.

Learned counsel for the petitioner submits that
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 though there is allegation in the FIR that petitioner has fired
upon the deceased but in re-statement of the informant, the
informant has not taken the name of the petitioner that he fired



upon the deceased. It is submitted that the police arrested three persons and their confessional statement was recorded, but they have also not taken the name of the petitioner in their confessional statement that petitioner has fired upon the deceased.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner.

Taking into consideration the facts aforesaid, 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 A.C.J.M.-VIII, Patna in connection with Jakkanpur P.S. Case No.651 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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