

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.22936 of 2023

Arising Out of PS. Case No.-16 Year-2005 Thana- ATRI District- Gaya

Vinay Kumar @ Vinay Singh S/O Suresh Prasad Sharma R/O Village-Dariyapur, P.S- Atri, Distt.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 24-06-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection with Atri P.S. Case No. 16 of 2005 dated 01.03.2005 registered for the offences punishable under Sections 147, 148, 149, 323, 307 and 427 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, the petitioner and the co-accused persons started pelting stones and bricks on the bus due to which glass of the bus got damaged and the informant sustained head injury and other also got injured. In the meantime, the petitioner and the co-accused persons along with



25 unknown persons armed with gun and rifle started indiscriminate firing and fled away.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. Learned counsel further submitted that injury No. 2 is simple in nature caused by hard and blunt substance. There is general and omnibus allegation against the petitioner.

Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that injury No. 1 is grievous in nature caused by shared weapon.

Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Gaya in connection with Atri P.S. Case No. 16 of 2005, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.



The application stands allowed.

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(Chandra Prakash Singh, J)

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