

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24311 of 2023

Arising Out of PS. Case No.-684 Year-2020 Thana- MOTIHARI TOWN District- East
Champaran

PRIYANSHU KUMAR @ MUMAN KUMAR Son of Manoj Singh Resident
of village - Gopalpur Paschimi, Raja Bazar, P.S.- Town, District - East
Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 147, 148,
149, 323, 379 and 307 of the Indian Penal Code and Section 27
of the Arms Act pending in the learned court below.

As per the prosecution case, the petitioner threatened
to kill the informant and co-accused Ashish Kumar Singh
openly fired upon the informant, which was ward off by him
and bullet hit on another person. When Sandeep Kumar came in
rescue, accused persons assaulted him and accused persons
snatched golden chain worth Rs.45,000/- and cash of
Rs.10,000/- from the informant.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case. He further submits that there is case and counter case between the parties. He submits that there is no specific overt act against the petitioner. He further submits that the matter is compromised between the parties. He submits that there is specific overt act against the co-accused Ashish Kumar Singh that he opened firing on the informant. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances and the fact that there is no specific overt act against the petitioner, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Motihari Town P.S. Case No.684/2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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