

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34518 of 2023

Arising Out of PS. Case No.-617 Year-2022 Thana- MALSALAMI District- Patna

GANESH KUMAR SON OF SHIV DAYAL PRASAD @ SHIV DAYAL
MALI RESIDENT OF VILLAGE- KATRA BAZAR, PATNA CITY, PS-
MALSALAMI , DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurav Anand, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-07-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 447, 504, 506, 34 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of Arms Act.

3. Allegedly, some antisocial elements including this petitioner came to the informant's house and assaulted the informant's son. Co-accused Akash Kumar is said to have fired in the air from his pistol. In the meantime, several people assembled there and snatched his pistol.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. Petitioner has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in



nature. There is specific allegation of firing against co-accused Akash Kumar. No any incriminating article has been recovered from the physical possession of the petitioner. Similarly situated co-accused, namely, Ashu Kumar and Aadi Kumar have been granted bail by this Court in Cr. Misc. No. 10812 of 2023 vide order dated 25.04.2023. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as similarly situated co-accused have been granted bail, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Malsalami P.S. Case No. 617 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

