

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37064 of 2023

Arising Out of PS. Case No.-82 Year-2020 Thana- MADHEPURA District- Madhepura

Prince Kumar Son Of Chandan Yadav Simraha, Ps- Madhepura, District-
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 21-07-2023 1. Heard the learned counsel for the petitioner and learned APP for the State.
2. This is an application for grant of anticipatory bail in connection with Madhepura P.S. Case No.82 of 2020, registered for offences under Sections 147, 148, 149, 341, 307, 506 of the IPC and Section 27 of the Arms Act.
3. The allegation is that when the informant along with his friends was going to Naulakhiya Madhepura on an Altocar and had reached near the C.M. Science College, Madhepura, on the alleged date and time of occurrence, the petitioner had encircled them, and



then the accused persons, namely, Rupesh Kumar is alleged to have fired from his pistol, which had hit near the eye of the friend of the informant, namely, Randhir Kumar and then the accused persons had fled away.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that as far as the petitioner is concerned, he has not been alleged to have either assaulted or fired at the informant and his friends, hence he is not having any complicity in the matter.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that neither the petitioner has been alleged to



have assaulted the informant and his friends nor he is alleged to have fired gunshots, apart from the fact that he is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

7. Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Madhepura in connection with Madhepura P.S. Case No.82 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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