

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43622 of 2023

Arising Out of PS. Case No.-860 Year-2022 Thana- SASARAM NAGAR District- Rohtas

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ASHUTOSH KUMAR @ ASHUTOSH @ ASHUTOSH KUMAR son of
Madan Singh Village- Khaira Ps- Darigaon Dist- rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 341, 323, 324, 307, 379, 504 and
506/34 of the IPC and 27 of the Arms Act.

3. Allegedly, the F.I.R. named accused persons along with
the petitioner tried to snatch articles from the informant and
abused him and on objection, the petitioner fire four bullets and
other accused assaulted the informant and his friends.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. Though there is
allegation against the petitioner that he fired upon the informant



but no injury has been caused to the informant due to the said firing. Learned counsel for the petitioner further submits that other co-accused persons have assaulted the informant and there is no specific allegation against the petitioner to assault the informant. Petitioner has no criminal antecedent.

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

6. Having regard to the facts and circumstances of the case, since no firearm injury has been found on the body of the informant, the above named petitioner, is directed to 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 court below where the case is pending/Successor Court in connection with Sasaram (T) (Darigaon O.P.) P.S. Case No.860/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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