

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51215 of 2023

Arising Out of PS. Case No.-496 Year-2022 Thana- DELHA District- Gaya

Prince Kumar Son Of Late Abodh Prasad @ Abadh Prasad Village Chhotki
Nawada Word No 7, Ps- Delha, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena

For the Opposite Party/s : Mr. Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 326, 307, 379, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act pending in the learned court below.

3. The allegation against the petitioner is that he along with other co-accused persons have formed an unlawful assembly and in pursuance to the common object of the said unlawful assembly they have shot fired a number of times upon the informant and his friends and also committed dacoity with them at gun point. It is also alleged that the petitioner was identified through C.C.T.V. footage placed near the place of occurrence.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that on the basis of the C.C.T.V. footage the petitioner has been made accused in this case. He submits that there is no specific overt act against the petitioner. He further submits that petitioner is working in a local hospital and he has used to come to his home everyday 10:30 P.M. to 11:00 P.M. and his footage come in the C.C.T.V. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Per contra, learned APP for the State vehemently opposing the bail application and submitted that the allegation levelled as the petitioner is serious in nature. Hence, he does not deserve anticipatory bail.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Delha P.S. Case No. 496/2022. Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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