

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54860 of 2022

Arising Out of PS. Case No.-400 Year-2021 Thana- PATNA CITY CHOWK District- Patna

ASHISH KUMAR Son of Suraj Prasad Resident of Village - Kaimashikoh,
Near Shiv Mandir, P.s.- Chowk, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan

For the Opposite Party/s : Mr.Akshay Lal Pandit

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 06-02-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

The petitioner apprehends his arrest in connection with Chowk P.S. Case No. 400 of 2021, registered for the offences punishable under Sections 302, 201, 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per allegation, when the immersion of goddess Saraswati was going on, the informant heard the sound of fire arms. He saw Vicky Kumar, his brother, in injured condition, who was breathing in pain. He was brought to P.M.C.H., where he was declared dead.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. During course of trial, other co-accused persons and the witnesses have turned hostile and their depositions have been annexed with annexure-2 series. He has submitted further that it has detected during course of investigation that co-accused Pankaj Kumar @ Dhondhiya has opened fire shot on the deceased. On similar footing, co-accused Deepak Kumar has been granted anticipatory bail in Cr. Misc. No. 22698 of 2022.

On the other hand, the learned APP has opposed the prayer for bail.

Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IV, Patna City in connection with Chowk P.S. Case No. 400 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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