

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58015 of 2023

Arising Out of PS. Case No.-231 Year-2023 Thana- SHASTRINAGAR District- Patna

Ajay Kumar(Male) aged about 32 years, Son Of Late Raja Ram Gope
Resident Of Village- Nandgaon, Ps- Shastri Nagar, Dist- Patna
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Abhash, Advocate
For the Opposite Party : Mr. Lalan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 13-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Shastri Nagar P.S. Case No. 231 of 2023 dated 27.02.2023, instituted for the offence punishable under Sections 323, 341, 342, 387, 504, 506, 34 of the Indian Penal Code and 27 of the Arms Act.

3. As per the F.I.R., the petitioner along with the other co-accused armed with weapon came to the informant's house and told him to bring cigarette. When the informant asked for money for the cigarette, then accused persons demanded his motorcycle and thereupon an altercation took place between them. It is further alleged that when the



informant did not agree to hand over the motorcycle, the accused persons tried to snatch his motorcycle as *rangdari* but the informant opposed then accused persons started assaulting him and the brother of the informant was also slapped and punched by them. When the nearby people came to save them, then accused persons, namely, Vicky and Raju started indiscriminate firing.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. It is submitted that it is manifestly clear from the F.I.R. that the allegation of firing is against Vicky and Raju not against the petitioner. It is further submitted that the Police has recovered three empty cartridges from the place of occurrence. Lastly, it has been submitted that he has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Shastri Nagar P.S. Case No. 231 of 2023, he shall be released on anticipatory



bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., IX, Patna, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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