

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56917 of 2023

Arising Out of PS. Case No.-60 Year-2023 Thana- PUSA District- Samastipur

BITTU SAHNI @ BITTU KUMAR S/O MAHESH SAHNI @ MAHESH
SAHANI R/O VILLAGE- DHOBGAWAN, P.S- PUSA, DISTT.-
SAMASTIPUR.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Pusa P.S. Case No. 60 of 2023 registered for the offences punishable under Sections 341, 342, 323, 504, 506, 307 of the Indian Penal Code and under Section 27 of the Arms Act. He has got one criminal antecedent.

3. As per the prosecution story, when the informant went to the orchard to meet Deepak Ray and get his money back which he gave him as loan. Co-accused Deepak Ray, Abinash Kumar, Bittu Kumar (petitioner), Nand Lal Singh, Shivam Singh, Anmol Kumar and Bunty Kumar along with two or three other persons were already present there. They then assaulted the informant with kick and punches and the co-accused



Abinash Jha shot fire on the informant with an intention to kill him. As a result of the said firing, the informant sustained injury on his left thigh but somehow he managed to escape from there.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that there is no specific allegation against the petitioner.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submissions that the specific allegations are against co-accused Deepak Ray and Abinash Jha, so far as the present petitioner is concerned, he is only said to be a member present at the place of occurrence and one of the co-accused namely Shivam Kumar who is similarly situated with the petitioner has been granted privilege of anticipatory bail by learned Coordinate Bench of this Court in Cr. Misc. No. 44012 of 2023, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Pusa P.S. Case No. 60 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class,



Samastipur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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