

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59057 of 2023

Arising Out of PS. Case No.-336 Year-2023 Thana- ALAMGANJ District- Patna

Dr. Sudhir Kumar @ Dhananjay Kumar Yadav @ Sudhir Kumar Yadav S/O
Ramesh Prasad Village Patedhi, Ps- Marhaura, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prem Ranjan Kumar, Advocate
For the Opposite Party/s	:	Mr. Ganesh Prasad Singh, A.P.P
For the O.P. No.2	:	Mr. Arvind Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 12-12-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Alamganj P.S Case No. 336 of 2023 dated 18.04.2023 registered for the offence punishable u/ss 302, 120B read with 34 of the Indian Penal Code and Section 27 of the Arms Act.

4. As per the prosecution case, on 18.04.2023 at 15:20 pm, the Raj Mistry called the informant's husband



regarding carrying of cement, then her husband went there and after 15 minutes, one mistry, Ajit Kumar came and told the informant that two persons came and fired four rounds of bullets on her husband and then they fled away. When the informant reached the place of occurrence, she saw that her husband was lying down near the boundary. The informant carried her husband to hospital where he was declared dead.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is further submitted the petitioner is not named in the F.I.R. rather his name was sprung up in the confessional statement of the co-accused. There is nothing on record indicating the petitioner's involvement except the confessional statement of the co-accused Suraj Kumar. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six



weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Patna City, Patna in connection with Alamganj P.S Case No. 336 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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