

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72314 of 2023

Arising Out of PS. Case No.-661 Year-2021 Thana- KANTI District- Muzaffarpur

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ABHIJEET KUMAR @ ABHIJEET THAKUR @ SUMIT THAKUR Son of
Saroj Kumar @ Saroj Thakur R/o Village - Kanti Kaswa, P.S.- Kanti, District
- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 324, 326, 307 and 120B of the Indian Penal Code and Section 27 of Arms Act.

3. The allegation against the petitioner is that he and other accused persons fired five gun shots upon the informant as a result of which he got injured.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner is not named in the FIR, his name transpired in the present case on the basis



of confessional statement of co-accused person. He further submits that similarly situated co-accused person has been granted bail by a co-ordinate Bench of this Court passed in Cr. Misc. No.39860 of 2022 vide order dated 14.12.2022. Petitioner has one criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Kanti P.S. Case No.661 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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