

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69214 of 2022

Arising Out of PS. Case No.-85 Year-2022 Thana- KAJRA District- Lakhisarai

ANKIT KUMAR @ DABLU @ TANTAN RAM SON OF JITAN RAM @
JITENDRA RAM R/O VILL.- MANJHIYAMA, P.S.- KAJRA, DISTT.-
LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-02-2023 Heard learned counsel for the petitioner and the State
through video conferencing in view of the Covid-19.

The petitioner apprehends his arrest in connection with
Kajra P.S. Case No. 85 of 2022 instituted under Sections 302/34 of
the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution story, the informant alleged that his
son, Amit Kumar Anand (deceased) was in love with Khushbu
Kumari which was resented by the accused side and further
allegation is that on the fateful day, while he was returning along
with his son, accused Sooraj kumar opened fire from close range
causing death of his son. The further allegation is that there were
two other persons whom he could not identified. Accordingly, the
FIR.

The specific allegation has been made against Sooraj



Kumar and the motive has been assigned that his sister was in love with the deceased which was resented by him and this caused the said killing.

So far as the present petitioner is concerned, allegation against him is that he had purchased the revolver and the cartridges and had handed over the same to Sooraj Kumar as confessed by him.

Learned APP on the other hand opposes the prayer for bail.

Considering the aforesaid facts as also that he is a young boy of 22 years, do not have criminal antecedent, his name has only come in the confessional statement and specific allegation is against Sooraj kumar, this Court is inclined to extend him privilege of anticipatory bail.

Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Kajra P.S. Case No. 85 of 2022 to the satisfaction of learned Sub-Divisional Judicial Magistrate, Lakhisarai, subject to the conditions as laid down under Section 438(2) of the Cr.P.C and with the further conditions :



(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Ajay Singh/-

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