

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69111 of 2022**

Arising Out of PS. Case No.-222 Year-2019 Thana- PARWALPUR District- Nalanda

Mukesh Kumar @ Mukesh Sharma Son of Tapeswar Singh R/V- Badauni
P.S- Parwalpur, Dist- Hilsa (Nalanda)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Anita Kumari Singh, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 27-04-2023 Heard learned counsel appearing on behalf of the
petitioner and learned Additional Public Prosecutor appearing
on behalf of the State.

Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

The accused/petitioner is named in F.I.R. and
apprehending his arrest in connection with Parwalpur P.S. Case
No. 222 of 2019 registered for the offences punishable under
Sections 147, 148, 149, 188, 283, 323, 307, 353, 504 and 506 of
the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case on 06.09.2019, as per the
version of informant when the escort party arrived near to bus



stand, it was found that two different groups were abusing and assaulting each other. It is further alleged thereof that both parties were armed with firearms and other dangerous weapons, where dispute is founded over bus agency.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner was implicated falsely in this case completely on the basis of suspicions. It is submitted that allegation, as it appears is very much general and omnibus without attributing any specific overt act against the petitioner. It is submitted that no one sustained firearm injury in the alleged firing and moreover, similarly situated co-accused namely, Sanjeev Kumar and Nishu Kumar have been granted anticipatory bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 70464 of 2022.

Learned APP opposes the prayer of bail.

Considering the aforesaid facts and circumstances as allegation against this petitioner is not appearing specific, the above named petitioner, in the event of his arrest or surrender within a period of four weeks, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Hilsa



(Nalanda)/concerned Court, where the case is pending in connection with Parwalpur P.S. Case No. 222 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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