

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77730 of 2023

Arising Out of PS. Case No.-153 Year-2023 Thana- RAGHOPUR District- Supaul

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Ankit Kumar S/O Shyam Sundar Yadav Ro Village Dharhara Ward No 8 Ps
Raghopur Dist Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Ms. Patla Kumari, Advocate

For the State : Mr. Rajiv Nayan, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 05-12-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Raghopur P.S. Case No. 153 of 2023 instituted for the offence
under Sections 324, 326, 307, 506 of the Indian Penal Code (for
brevity 'I.P.C.') and 27 of the Arms Act. Subsequently, Section
302/34 of the I.P.C. has been added.

3. As per the prosecution case, the petitioner along
with five other miscreants got the informant's husband seated
from back of Durga Temple. The petitioner, namely, Ankit
Kumar, along with others exhorted to kill, as a result of which
he succumbed to injury. Upon this, the co-accused Banti Kumar
fired on the informant's husband indiscriminately due to that he



sustained gunshot injuries on his chest, stomach, arm, waist and thigh due to previous dispute.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 21-07-2023. Petitioner bears one criminal antecedents.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is no specific allegation levelled against the petitioner. There is general and omnibus allegation. Other co-accused person has been granted bail by Co-ordinate Bench of this Court vide order dated 01-09-2023 passed in Cr. Misc. No. 58252 of 2023.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Raghopur P.S. Case No. 153 of 2023 subject to the following



conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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