

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72518 of 2022

Arising Out of PS. Case No.-128 Year-2022 Thana- KALYANPUR District- East Champaran

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ABHIJIT @ ABHIJEET KUMAR @ GOLU KUMAR S/o Pundev Prasad
R/v- Gariba,P.O.- Gariba, P.S.- Kalyanpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Singh

For the Opposite Party/s : Mr.Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is apprehending arrest in connection
with Kalyanpur P.S. Case No. 128 of 2022 under section 25(1-
b)a, 27, 35 of Arms Act.

As per the FIR, video clip went viral in which two
persons were found to be doing celebratory firing in an
orchestra programme.

Accordingly, the FIR.

Learned counsel for the petitioner submits that
neither the video clip has been verified nor any allegation was
made by anyone and the police has registered the FIR ruining



his future inasmuch as he is a student and preparing for exam.

Although, the celebratory firing is a blot to the society inasmuch as due to so called joyous attitude of the accused persons, some innocent lives are lost and which can be seen every day, in the particular facts and circumstance, since the petitioner is young boy is a student and has a long future, putting him with the hardened criminals in jail will ruin his career and as such this Court is inclined to grant him the privilege of anticipatory bail.

Let the petitioner be released on bail, in the event of his arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Kalyanpur P.S. Case No. 128 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the conditions as follows:

- (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 co-operate in the investigation



and make himself available to the police as and when required;

(iii) 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 bail bond by the Trial Court itself;

(iv) the petitioner shall visit the 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)

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