

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72319 of 2022

Arising Out of PS. Case No.-103 Year-2020 Thana- PANDAUL District- Madhubani

Lalit Kamti @ Lalit Kumar Kamti S/O Bhuttu Kamti @ Rajendra Kamati
R/O Village- Lohna, Ward No- 8, P.S- Bhairab Asthan, District- Madhubani
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha
For the Opposite Party/s : Mr. Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 385, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, the petitioner along with other co-accused persons came at the house of the informant and indulged in hurling abuses and threatening. It is alleged that Sandeep Jha @ Vipul Jha demanded Rangdari of Rs. 50,000/- and fired in air. It is further alleged that on the next day again the accused persons fired at the house of the informant.

Learned counsel for the petitioner submits that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that there is no specific overt act against this petitioner.



There is specific overt act against co-accused Sandeep Jha @ Vipul Jha. Similarly situated co-accused, has been enlarged on bail by a co-ordinate bench of this court vide order dated 13.12.2021 passed in Cr. Misc. No. 38661 of 2020. Petitioner has got four criminal antecedents as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Considering the facts and circumstances of the case and the fact that similarly situated co-accused has been granted anticipatory bail, let the above named petitioner, be released on bail, in the event of his 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 Pandaul P.S. Case No. 103 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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