

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8937 of 2024

Arising Out of PS. Case No.-999 Year-2022 Thana- BIHTA District- Patna

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Nagendra Rai @ Nagendra Kumar @ Golu Kumar Son of Chandeshwar Rai
Resident of Village- Nagatola Goriya Asthan, P.S.- Maner, District-Patna
... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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For the Petitioner/s	:	Mr.Manoranjana Kumar, Adv.
For the Opposite Party/s	:	Mrs. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Bihta P.S. Case No. 999 of 2022 dated 29.09.2022 registered for the offences punishable u/ss 147, 148, 149, 307, 379, 160, 216, 302, 120B of the Indian Penal Code and u/s 27 of the Arms Act.

3. As per the prosecution case, the informant got information that two rival gangs were firing indiscriminately against each other. When the police party reached the spot and took position, the accused persons fled away from the place of occurrence.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner was disclosed by local villagers and Chowkidar. There is general and omnibus allegation against the petitioner. It is further submitted that the petitioner has no concern with the alleged offence. No



incriminating article has been recovered from the conscious possession of the petitioner. The accused person has already been granted anticipatory bail by the Coordinate Bench of this court vide order dated 20.02.2024 passed in Cr. Misc. No. 7929 of 2024. The petitioner has two criminal antecedents in which he is on bail as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Danapur, Patna in connection with Bihta P.S. Case No. 999 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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