

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16962 of 2024

Arising Out of PS. Case No.-173 Year-2023 Thana- VIDYAPATINAGAR District-
Samastipur

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1. Om Prakash Bhagat Son Of Late Nand Bhagat Village- Gopalpur W.No-7, Balkrishnapur Marwa Ps- Vidyapatinagar Dist- Samastipur
 2. Raushan Kumar Son Of Om Prakash Bhagat Village- Gopalpur W.No-7, Balkrishnapur Marwa Ps- Vidyapatinagar Dist- Samastipur
 3. Sonu Kumar Son Of Om Prakash Bhagat Village- Gopalpur W.No-7, Balkrishnapur Marwa Ps- Vidyapatinagar Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Vidyapati P.S. Case No. 173 of 2023 dated 30.10.2023 registered for the offence punishable u/ss 341 and 307 read with 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioners and the co-accused persons holding deadly weapons chased the son of the informant and started abusing. In the meantime, the petitioner No. 2 and the co-accused Amritesh Kumar and Nilesh



Kumar having pistol in their hands with an intention to kill fired five rounds on the informant's son out of which one pellet hit him due to which he fell down and thereafter, he was taken to D.M.C.H, Darbhanga for treatment.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. The specific allegation of firing is against the co-accused person. There is general and omnibus allegation against the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Dalsinghsarai, Samastipur in connection with Vidyapati P.S. Case No. 173 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



7. This application stands allowed.

(Chandra Prakash Singh, J)

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