

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20057 of 2024

Arising Out of PS. Case No.-621 Year-2023 Thana- ARA NAGAR District- Bhojpur

MD. SHAHID S/O- MD. SHAMU @ ASHUMUDDIN R/O-
VILLAGE/MOHALLA- M.P. BAGH, P.S.- ARA NAGAR, DIST.-
BHOJPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-04-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Ara Nagar P.S. Case No. 621 of 2023 for the offence registered under sections 341, 323, 307 and 34 of the Indian Penal Code and section 27 of the Arms Act lodged on 02.08.2023 by the informant, Suraj Kumar.

3. As per the prosecution story, the informant alleged that Amit Kumar and Rukhi Kumar @ Shubham Singh along with others came and started fighting. Suddenly, Amit Kumar and Rukhi Kumar @ Shubham Singh resorted to eight round firing whereafter they went for treatment and F.I.R.

4. Learned Counsel for the petitioner submits that



specific allegation is against Amit Kumar and Rukhi Kumar @ Shubham Singh though there is allegation of eight round firing, no injury report is on record. The last submission is that the petitioner do not have criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

6. Taking into account the submissions as also the allegations in the FIR, it is against Amit Kumar and Rukhi Kumar @ Shubham Singh, the name of the petitioner is in the list of accused, he do not have criminal antecedent, this Court is inclined to extend him privilege of anticipatory bail.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhojpur at Ara in connection with Ara Nagar P.S. Case No. 621 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his *bona fide*;



(ii) 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;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) 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;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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