

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 22210 of 2024

Arising Out of PS. Case No.-903 Year-2023 Thana- PHULWARISHARIF District- Patna

Narayan Kumar Son of Binod Sharma Resident of Village Govindpur P.S.
Ghosi District Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Surendra Kumar Mishra, Advocate

For the Opposite Party/s : Mr Ashok Kumar Singh, APP

CORAM: HONOURABLE MR JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 18-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2 The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 279, 307, 332, 333, 427/34 of the Indian Penal Code.

3 Learned counsel for the petitioner submits that the petitioner has three antecedents and has been falsely implicated in the instant case by the informant with an allegation that while the informant along with the police force were on patrolling duty, when they signalled the vehicle to stop but the driver, instead of stopping, fled away injuring Constable Ravi Kumar. It is next submitted that petitioner was neither present at the place of occurrence nor was driving the vehicle. It is further



submitted that the petitioner had appointed Ritik Kumar on a monthly payment of Rs 18,000/- and for the said purpose relies on Annexure 2 to the anticipatory bail application. It is further submitted that it appears that the driver Ritik Kumar after committing the occurrence fled away from the place of occurrence.

4 The learned APP submits that though petitioner is relying on Annexure 2 to submit that he had appointed Ritik Kumar but then it is difficult to believe that while appointing a driver, such type of agreement is made. It is also submitted that it absolutely does not stand to reason that as to why Ritik Kumar would have fled away when no objectionable material was recovered from the vehicle. It is next submitted that the petitioner by way of afterthought after committing the occurrence has taken a plea that the vehicle was being driven by Ritik Kumar whom he appointed by Annexure 2. It is further submitted that petitioner has antecedent of 3 cases and may abscond after anticipatory bail is granted.

5 At this stage, learned counsel for the petitioner submits that petitioner will not abscond rather will co-operate in the investigation.

6 Considering the submission made by the learned



counsel for the petitioner, the petitioner above named, in the event of his arrest or surrender before the learned trial Court within a period of six weeks from today, be released on anticipatory bail on his furnishing bonds of Rs 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial Court where the case is pending/successor court in connection with Phulwarisharif PS Case No 903 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr P C with further condition that one of the bailors shall be his father Binod Sharma.

7 However, in the event if the Investigating Officer of the case files an application before the learned trial Court that the petitioner is not co-operating in the investigation, in that event, the learned trial Court shall be at liberty to cancel his bail bonds.

8 Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

M.E.H./-

U		T	
---	--	---	--

