

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28711 of 2024

Arising Out of PS. Case No.-25 Year-2023 Thana- VIDYAPATINAGAR District- Samastipur

Rambalak Pathak @ Sanjit Kumar Pathak son of Shambhu Nath Pathak @
Shambhu Pathak Village- W.No-5, Ashin Chak harsankarpur Ps-
Dalsinghsarai Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ujjwal Kumar, Adv

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 26-07-2024 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 Vidyapati Nagar P.S. Case No. 25 of 2023 dated
20.02.2023 registered for the offences punishable u/ss 147, 148,
149, 341, 323, 324, 307, 427, 504, 506 of the Indian Penal Code
and u/s 27 of Arms Act.

3. As per the prosecution case, allegedly the petitioner
along with FIR named persons and 10-15 unknown persons
boarded on 8-10 motorcycles came to the door of the informant
and started indiscriminate firing as a result of which Rohit Giri
got injured, thereafter, the accused persons shot one Udai Giri
and further damaged the motorcycle of Anuj Giri and proceeded



from there.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has committed no offence as alleged. The petitioner has falsely been implicated in this case. There is no specific overt act against the petitioner. Similarly situated co-accused has already been granted anticipatory bail by the co-ordinate bench of this court *vide* order dated 15.02.2024 passed in Cr. Misc. No. 2091 of 2024. There is general and omnibus allegation against the petitioner. The petitioner has two criminal antecedents as stated at para 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances as well as the allegation being general and omnibus, let the above named petitioner, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned court concerned, Samastipur in connection with Vidyapati P.S. Case No. 25 of 2023, 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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