

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27429 of 2024

Arising Out of PS. Case No.-729 Year-2023 Thana- BUDDHACOLONY District- Patna

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Santosh Kumar @ Chhote Kumar @ Chhote Son of Late Saryug Singh
Resident of Mohalla- Durja Devi Ashthan, Police Station- Budha Colony,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra

For the Opposite Party/s : Mr. Ram Sumiran Rai

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-05-2024 1. Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 307, 385 and 34 of the Indian Penal Code read with Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the instant case by the informant with an allegation that on 15.11.2023 at about 08:30 PM while he was at his grocery shop when the accused persons including the petitioner came and asked him to close the shop to which he objected, thereafter, it is alleged that this petitioner fired at him but missed.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is



next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that on account of dispute in between the children, the present occurrence is alleged to have taken place. It is also submitted that though there is allegation of firing, but then no one was injured. It is, thus, submitted that in order to give serious colour to the case, the FIR has been instituted under the Arms Act. It is further submitted that parties have compromised the case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions 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 furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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 Budha Colony P.S. Case No. 729 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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