

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38635 of 2024

Arising Out of PS. Case No.-80 Year-2024 Thana- DANAPUR District- Patna

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Pritam Shankar @ Pritam Kumar @ Kumar Pritam Shankar, Male, aged about 43 years, Son of Shiw Shankar Prasad, R/o Nagla, P.S. Malsalami, District-Patna-800 008.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tilak Sao, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 30-08-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the petitioner is to have caused fired arm injury upon the brother of the informant.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that petitioner is not named in the FIR nor any legal and cogent evidence is brought on the record against the petitioner and no any specific overt-act is attributed against him. Petitioner has got clean antecedent as stated in para-3 of the petition. He next submits that the main allegation is against co-accused Suraj Kumar @ Suraj Mehta @ Suraj Kumar Mehta who has already



been granted regular bail by this Court passed in Cr. Misc. No. 27340 of 2024.

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

6. On perusal of the first information report, case diary and impugned order dated 09.04.2024, it appears that in para-19 and 20 of the case diary, the petitioner had only come with co-accused Suraj Mehta and there is no specific overt act attributed against this petitioner, so considering the above facts and circumstances of this case, I am inclined to grant anticipatory bail to the above named petitioner.

7. Accordingly, let the above named petitioner be released on anticipatory bail in the event of his arrest/surrender before the trail Court within a period of six week from today on furnishing bail bond of Rs.10,000/- (ten thousand only) with two sureties of like amount each to the satisfaction of learned ACJM- I, Danapur in connection with Danapur P.S. Case No. 80 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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