

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44473 of 2024

Arising Out of PS. Case No.-677 Year-2023 Thana- MANER District- Patna

Vikash Kumar S/o Doman Rai R/o Village-Hulasi Tola, P.S.-Maner, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 06-09-2024 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 Maner P.S. Case No. 677 of 2023 dated 16.09.2023 registered for the offences punishable u/ss 307 read with section 34 of the Indian Penal Code and u/s 27 of the Arms Act.

3. As per the prosecution case, 5-6 unknown miscreants armed with deadly weapons are alleged to have come to the informant's house and started abusing and firing indiscriminately which did not hit him. Thereafter, the accused persons fled away.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in this case in the confessional statement



of the apprehended co-accused, Monu Kumar. Nothing has been recovered from the conscious possession of the petitioner. There is no specific allegation of firing is against the petitioner. It is further submitted that nobody has injured and no injury has been found to the person of the informant and his family members so Section 307 of the I.P.C. is not made out against the petitioner. The petitioner has four criminal antecedents in which he is on bail as stated in para 3 of the bail petition. The similarly situated co-accused has been granted anticipatory bail by this Court vide order dated 04.04.2024 passed in Cr. Misc. No. 18717 of 2024.

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

6. Considering the aforesaid facts and circumstances of the case as well as the allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on 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, Danapur, Patna in connection with Maner P.S. Case No. 677 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition:-

(i) The petitioner is directed to remain physically



present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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