

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55534 of 2024

Arising Out of PS. Case No.-614 Year-2023 Thana- KOTWALI District- Munger

Abhishek Kumar @ Aryan son of Suresh Pd. Gupta Moh- Basdeopur ps-
Kotwali Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 25-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with S.T.
No. 162 of 2024 arising out of Kotwali P.S. Case No. 614 of
2023 registered for the offence under Sections 302/34/120B of
the Indian Penal Code, under Section 27 of the Arms Act and
later on Section 25(1-B)A, 26(i)(ii) and 35 of the Arms Act was
also added.

3. As per the prosecution case, the petitioner and
other accused persons are said to have killed the deceased.

4. It has been submitted by the learned counsel for
the petitioner that one Shakti Kumar had previous enmity with
the deceased and he has planned and killed the deceased. He
further submits that the petitioner and another accused Rohit



Kumar had accompanied Shakti Kumar and after the deceased was shot by Shakti Kumar, the weapon was thrown by Rohit Kumar.

5. It has also been argued by the learned counsel for the petitioner that the main accused Shakti Kumar has already been granted bail by this Court vide order dated 24.09.2024 passed in Cr. Misc. No. 40249 of 2024. He also submits that the petitioner is in custody since 1.1.2024 and has clean antecedent.

6. Considering the fact that the petitioner was part of the group which has killed the deceased but main accused Shakti Kumar has already been granted bail, who has previous enmity with the deceased, this application is allowed.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Munger in connection with S.T. No. 162 of 2024 arising out of Kotwali P.S. Case No. 614 of 2023.

8. As the petitioner claims to have clean antecedent, the Court below, before accepting the bail bonds of the petitioner is directed to verify the criminal antecedent of the



petitioner. If the Court below finds that the petitioner has no criminal antecedent, his bail bonds shall be accepted. If the Court below finds that the petitioner is involved in any other case, his bail bonds shall not be accepted.

9. As a condition of this order, the petitioner after being released on bail is directed to mark his attendance at Munger Kotwali Police Station on every Sunday of each month. Any default in appearance at the police station will result in cancellation of bail bonds of the petitioner.

10. As a condition of this order, the petitioner, after being released on bail is directed to co-operate in the trial either by appearing personally or through his lawyer in the trial Court on each and every date fixed by the trial Court. Non-compliance of the condition will result in cancellation of the bail bonds of the petitioner.

(Sandeep Kumar, J)

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