

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61711 of 2024

Arising Out of PS. Case No.-166 Year-2023 Thana- JANDAHA District- Vaishali

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Amar Kumar S/O Manoj Sahni Resident of village Dhadua, Police Station
Jandaha, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Subhash Kumar, Advocate

For the State : Ms. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-09-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307 and 504 of the Indian Penal Code and Sections 25(1-b)a and 26 of the Arms Act.

3. As per prosecution case, it is alleged that this petitioner, along with other accused persons, surrounded informant while he was returning to his house on motorcycle, abused him and opened fire upon him, causing head injury.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is not named in the F.I.R. and his name transpired during course of investigation on the basis of confessional statement of co-accused Raushan Kumar. Specific accusation of firing is against co-accused Ravi Sahni.



There is no specific allegation of overt act against this petitioner. It is further submitted that similarly situated co-accused, namely Bittu Kumar, has already been granted the privilege of anticipatory bail by this Hon’ble Court vide order dated 08.08.2024 passed in Cr. Misc. No. 49329 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that name of petitioner transpired in this case during course of investigation. It is further submitted that case of petitioner is not on similar footing with that of co-accused Bittu Kumar as petitioner has got one criminal antecedent of similar nature.

6. Considering the aforesaid facts and circumstances of the case, gravity of offence and the fact that petitioner has got one criminal antecedent of similar nature, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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