

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61222 of 2024**

Arising Out of PS. Case No.-199 Year-2023 Thana- ISLAMPUR District- Nalanda

Ashutosh Kumar @ Pawan Kumar Son of Rajnandan Prasad R/V- Pachlaura-
P.s.- Islampur, Distt.- Nalanda Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 10-09-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Islampur P.S. Case No. 199 of 2023 registered for the
offences punishable under Sections 147, 148, 149, 341, 342,
323, 307, 354B, 379, 427, 448, 504 and 506 of the Indian Penal
Code and Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of three cases and the informant
alleges that the accused persons came and petitioner fired twice
at her but missed but the cartridge hit the wall, further petitioner
acted inappropriately with her daughter-in-law and snatched
chain from her neck.



4. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case by the informant with an allegation that he fired twice but then missed. It is thus, submitted that though there is allegation of firing but then no one was injured in the said firing. It is next submitted that Islampur P.S. Case No. 200 of 2023 was instituted by one Malti Devi against the husband of the informant i.e., Kishore Prasad and others. It is next submitted that the petitioner though not related directly with Malti Devi but is a member of her family as such he has been implicated in the instant case with a false allegation that he fired and acted inappropriately with her daughter-in-law. It is next submitted that the allegation of snatching chain is ornamental in nature.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the petitioner has antecedent of three cases and there is allegation of firing and even a cartridge was found on the wall. It is further submitted that if privilege of anticipatory bail is granted to the petitioner the petitioner may abscond.

6. On the other hand, learned counsel for the petitioner submits that the petitioner will not abscond rather he will cooperate in the investigation to prove his innocence. It is also



submitted that merely because the petitioner has antecedent of three cases that may not be the sole consideration for rejecting his anticipatory bail application.

7. 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 Court below 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 Islampur P.S. Case No. 199 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, in the event the Investigating Officer of the case file an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation in that event the learned Trial Court shall be at liberty to cancel the bail bond of the petitioner.

9. Let a copy of this order be sent to the concerned Police Station through the learned Trial Court.

10. Accordingly, the instant anticipatory bail



application stands allowed.

(Satyavrat Verma, J)

Prakash/-

U			
---	--	--	--

