

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71391 of 2024

Arising Out of PS. Case No.-340 Year-2024 Thana- DIGHA District- Patna

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Mahesh Rai @ Mahesh kumar S/o Late Siyaram Rai R/o vill - Yaduvanshi
Nagar Aakhara Road, Police Station- Digha, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 447, 147, 148, 149, 341, 323 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, it is alleged that the petitioner along with other co-accused persons opened fire upon the informant's son.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He further submits that the specific allegation of firing is against co-accused Dharmendra Kumar. He submits that the similarly situated co-accused has already been granted bail by this Court



vide order dated 22.10.2024 passed in Cr. Misc. No. 70541 of 2024. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Digha P.S. Case No. 340 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. However, the learned court below shall accept the bail bond of the petitioner after verifying the fact that the petitioner has got no criminal antecedent.

(Anjani Kumar Sharan, J)

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