

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70388 of 2023

Arising Out of PS. Case No.-848 Year-2023 Thana- DANAPUR District- Patna

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MOHIT KUMAR SON OF MANOJ YADAV @ MANOJ PRASAD R/O-
PHULWARI CHUNAUTI KUAN, P.S.- PHULWARI SHARIF, DISTRICT-
PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary, Adv.
For the Opposite Party/s : Mr.Lalan Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 341, 307, 504 of the Indian Penal Code and Section 27 of Arms Act.

3. Allegedly, all the accused persons including the petitioner are said to have assaulted the informant with butt of pistol repeatedly and also opened fire upon the informant and his friends with an intention to kill them, but anyhow, they managed to escape. It is further alleged that the entire occurrence was recorded in the C.C.T.V. footage installed in the house of the informant's friend.



4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. It is further submitted that the Investigating Officer of the present case directed the informant to identify the accused persons from the CCTV footage, but the informant did not show any interest and has not co-operated in the investigation. There is no injury report in the entire case diary. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as the informant has not cooperated the I.O. of the present case in the investigation, 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 Danapur P.S. Case



No. 848 of 2023, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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