

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70492 of 2024

Arising Out of PS. Case No.-436 Year-2024 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

=====

Kumar Abhijeet @ Abhijit Kumar @ Kumar Abhijit S/o- Harendrak Singh @
Harendra Singh @ Harendra Kumar Singh Moh- Balighat Dhulani Road,
Bhagwanpur, Ps- Town, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

with

CRIMINAL MISCELLANEOUS No. 73973 of 2024

Arising Out of PS. Case No.-436 Year-2024 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

=====

Prince Kumar @ Prince Singh Son of Dharmendra Kumar Singh @
Dharmendra Kumar R/O Vil.- Gaushnagar, Hasna Gaddi, P.S.- Gaighat, Dist.-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

(In CRIMINAL MISCELLANEOUS No. 70492 of 2024)

For the Petitioner/s	:	Mr. Shashank Shekhar, Advocate
		Mr. Utsav Kumar, Advocate
		Mr. Jagjit Roshan, Advocate
For the Opposite Party/s :		Mr. Anant Kumar 1, APP



(In CRIMINAL MISCELLANEOUS No. 73973 of 2024)

For the Petitioner/s : Mr. Jagjit Roshan, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-12-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Town P.S. Case no. 436 of 2024, registered under sections 329(3), 126(2), 127(2), 115, 303(2), 308(2), 308(3) and 3(5) of the Bhartiya Nyaya Sanhita, 2023 and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that Abhijit Kumar and Shivam came armed with pistol and resorted to firing. Thereafter, it is stated that the informant was assaulted. The informant further states that Prince Kumar came and snatched Rs. 60,000 worth of gold chain and Rs.5000 in cash from his pocket.

4. Learned counsel appearing for the petitioner Abhijeet Kumar states that the petitioner has been falsely implicated in the case. Referring to the CCTV footage, reference of which has transpired in paragraph no.15 of the case diary, it is submitted that the petitioner has not been seen in the same, which clearly shows his false implication.



5. Learned counsel appearing for the petitioner Prince Kumar states that though he has allegedly been seen in the CCTV footage, however it is said that there is no allegation against him that he resorted to any firing.

6. The applications for anticipatory bail is opposed by learned A.P.P. for the State.

7. Having heard learned counsel for the parties and taking into consideration the allegation in the FIR of the accused persons having resorted to firing and presence of the petitioner Prince Kumar at the place of occurrence as confirmed from the CCTV footage, the Court is not inclined to enlarged the petitioner Prince Kumar on anticipatory bail and the application is rejected.

8. The petitioner Prince Kumar is directed to surrender in the learned Court below within a period of four weeks.

9. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner Abhijeet Kumar and specially the said petitioner not having been seen in the CCTV footage as recorded in paragraph no. 15 of the case diary, it is directed that the petitioner Kumar Abhijeet @ Abhijit Kumar @ Kumar Abhijit, in the event of



his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Muzaffarpur Town P.S. Case no. 436 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur.

(Partha Sarthy, J)

Shiv/-

U		T	
---	--	---	--

