

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74881 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- BARHIYA District- Lakhisarai

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Laxmi Kumar @ Laxmi Narayan Son of Rajeev Kumar @ Rajeev Singh
Resident of oVillage- Barhiya Dani Tola, Ward No. 13, P.S.- Barahiya,
District- Lakhisarai (Bihar)

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Om Prakash Maharaj
For the Opposite Party/s : Mr.Choubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 12-12-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Barahiya P.S. Case No. 78 of 2024 registered under Sections
341, 323, 379, 307, 504, 506, 34 of the I.P.C.

3. As per the first information report the informant's son
Kundan Kumar while driving the tractor was intercepted by four
accused persons and when resisted by him, then the accused
persons snatched his mobile phone and Rs. 10,000/- cash from
his pocket and the co-accused Bajrangi Kumar fired at Kundan
Kumar due to which he sustained injury on the right hand.
Bajrangi Kumar also fired at another son of the informant
Chandan Kumar but the bullet missed the target.

4. Learned counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged. The petitioner's family is running shop of pure Ghee and the son of the informant Kundan Kumar is having criminal antecedent and prior to the date of occurrence on 22.03.2024 Kundan Kumar along with other accused persons arrived at the shop of the petitioner and threatened him and when protested by his mother, they took away Rs. 8,500/- from the drawer and they also misbehaved with the petitioner's mother for which petitioner's mother lodged a complaint before the Police but Police did not register F.I.R. Learned counsel next submits that specific allegation of firing is upon the co-accused Bajarangi Kumar and no overt act has been alleged against the petitioner. The petitioner is having no criminal antecedent and he is a student pursuing his Bachelor of Arts Course in G.D. College, Begusarai.

5. Regard being had to the submission made by the parties, taking into consideration the fact that the petitioner is having no criminal antecedent, he is a student and the allegation of firing is upon the co-accused Bajarangi Kumar, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the



court below within a period of four weeks from today on
furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with
two sureties of the like amount each to the satisfaction of Chief
Judicial Magistrate, Lakhisarai in connection with Barahiya P.S.
Case No. 78 of 2024 subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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