

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80333 of 2023

Arising Out of PS. Case No.-656 Year-2023 Thana- KANTI District- Muzaffarpur

SUJIT KUMAR Son of Chandrika Sah Resident of Village - Chapra
Manorath, P.S.- Kanti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-01-2024

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Kanti P.S. Case No. 656 of 2023 dated 22.08.2023 registered under Sections 341 / 342 / 307 / 504 / 506 / 120(B) of the I.P.C. and Section 27 of the Arms Act.

3. As per the First Information Report while the informant on 21.08.2023 in the morning was engaged in performing “Puja” along with his family members, all the accused persons including the petitioner arrived there, started abusing and assaulting the informant and his family members. It has further been alleged that when the father and sister-in-law of the informant tried to pacify the matter, the co-accused / Gena Sah @ Ajit Kumar fired upon the father of the informant causing bullet injury on his thigh and the co-accused / Md.



Chand fired upon his sister-in-law / Vimal Devi causing injury on her leg.

4. Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case due to previous dispute regarding passage between the parties. He further submits that no specific overt act has been alleged against the petitioner and the allegation of causing fire arm injury is upon the co-accused / Gena Sah and Md. Chand. The petitioner is having no criminal antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the fact that no specific overt act has been alleged against the petitioner, he is having no criminal antecedent and there was previous dispute relating to passage between the parties, as such, 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. 10000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of J.M. 1st Class, Muzaffarpur / concerned court in connection with



Kanti P.S. Case No. 656 of 2023 subject to the condition as laid
down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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