

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80006 of 2024

Arising Out of PS. Case No.-353 Year-2024 Thana- MOKAMAH District- Patna

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Amit Kumar Son of Shambhu Yadav Resident of Kanhaipur, P.S.-Mokama,
Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhim Sen Prasad, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-12-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. Petitioner is apprehending his arrest in connection with
Mokama P.S. Case No.353 of 2024, registered for the offence
punishable u/s 303(2), 62, 109, 3(5) of the B.N.S., 2023 and
25(1-B)(a), 26, 27 and 35 of the Arms Act.

3. Allegedly, petitioners along with some known and
unknown co-accused persons have tried to take away the buffalo
of the informant and when he protested, then one co-accused
persons fired a round on him, but pistol stuck. One co-accused
person was apprehended with arms and ammunitions.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence.
He has been falsely implicated in this case due to dirty village



politics. Nothing incriminating has been recovered from the conscious physical possession of the petitioner. There is general and omnibus allegation against the petitioner. Name of the petitioner transpired on the basis of confessional statement of apprehended co-accused person. Petitioner has no criminal antecedent.

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

6. Considering the aforesaid facts and circumstances and the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

8. However, petitioner is at liberty to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass the order, preferably, on the same day, in accordance with law, without being prejudiced of the withdrawal of this application and considering the fact that petitioner has no criminal antecedent.

(Anjani Kumar Sharan, J)

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