

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84601 of 2023

Arising Out of PS. Case No.-678 Year-2022 Thana- BIHTA District- Patna

Mandeep Kumar Son Of Gopal Ray R/O- Amnabad, P.S.- Bihta, Distict-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kr. Arya, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-01-2024 Heard Mr. Mithilesh Kumar Arya, learned counsel
for the petitioner and Mr. Dilip Kumar No. 1, learned A.P.P. for
the State.

2. The petitioner apprehends his arrest in Bihta P.S.
Case No. 678 of 2022 registered for the offences punishable
under Sections 302, 201/34 of the Indian Penal Code and
Section 27 of the Arms Act, pending in the Court of learned
A.C.J.M.-1st, Danapur, (Patna).

3. As per the prosecution case, the petitioner along
with other co-accused is said to have fired upon the deceased.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. The allegation levelled against the petitioner is not
specific rather general and omnibus in nature. He submits that



there is no eye-witness in the present case, only on the basis of suspicion petitioner has been made accused in the present case. The petitioner has three criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that specific overt act has been attributed against the petitioner. Hence, he does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case and the fact that there is specific overt act against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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