

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84889 of 2023

Arising Out of PS. Case No.-419 Year-2023 Thana- KANTI District- Muzaffarpur

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ASHISH KUMAR @ ASHISH KUMAR SINGH @ ASHIKI SINGH SON
OF DEV DATT SINGH @ DEV DATT PD. SINGH R/O SUBHASH
NAGAR, P.S.- SADAR, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha, Adv.

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegedly, all the accused persons including the petitioner are said to have chased the husband of the informant and in the meantime, co-accused Pintu Kumar and Raman Singh opened fire upon the informant's husband as a result of which he died on spot.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The



allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is specific overt act against co-accused Pintu Kumar and Raman Singh to fire upon the informant's husband due to which he sustained fire arm injury and died due to hemorrhage and shock, which is also evident from his postmortem report. Petitioner has three criminal antecedents as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Kanti P.S. Case No. 419 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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