

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2221 of 2024

Arising Out of PS. Case No.-133 Year-2023 Thana- KACCHWA District- Rohtas

Abhay Kumar @ Abhay Shankar Son of Krishna Singh Resident of Village -
Paschim English, P.S.- Imadpur (kacchwa), District - Rohtas.

... .. Petitioner/s

Versus

The state of Bihar. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Malti Kumari

For the Opposite Party/s : Mr.Khurshid Anwar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 05-02-2024 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in a case
in connection with Kachhhwan/Kachhchwa P.S. Case No. 133
of 2023, dated 07.09.2023 registered for the offence/s
punishable under Sections 147, 148, 149, 341, 323, 307, 353,
427, 379, 411, 414, 504 & 506 of the Indian Penal Code.

4. As per the prosecution case, the police team was
seizing four tractors loaded with sand illegally in Englishpur
Ghat, the Sone river. On instigation of driver and owner of the



tractors and others, villagers caused hindrance in the discharge of their official duty and damaged the police vehicle. Thereafter, one person opened fire on the police team and took the possession of the tractors. Then the police team identified some persons including the petitioner with the help of local Chowkidar.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case.. The petitioner has clean antecedent mentioned in Para 3 of the bail petition. There is general and omnibus allegation against the petitioner. No incriminating material is recovered from the possession of the petitioner. The allegation against the petitioner is that he was only member of the mob. The name of the petitioner has transpired on the basis of confessional statement of local Chowkidar.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, been enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to



the satisfaction of the learned court concerned, Bikramganj (Rohtas) in connection with Kachhhwan/Kachhchwa P.S. Case No. 133 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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