

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85554 of 2024

Arising Out of PS. Case No.-136 Year-2024 Thana- RAJPUR District- Rohtas

Md. Estak Ansari @ Khakhanu Son of Illiyas Ansari Resident of Village - Mangarwaliya, Police Station - Rajpur, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Pandey, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 13-12-2024 Heard learned counsel for the petitioner and Mr. Abhay Kumar Roy, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Rajpur P.S. Case No. 136 of 2024 instituted for the offence under Sections 127(1), 115(2), 109, 352, 351(2), 3(5) of the B.N.S. and Sections 25(1-b)a, 27 and 35 of the Arms Act.

3. The case of the prosecution is that petitioner started assaulting the informant with stick(*tanpa*) after that, the informant started fleeing away on this, petitioner fired at him but the fire did not hit him. It is further alleged when the informant went to his house, the petitioner also went there and also fired there.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted by learned counsel for the petitioner that the informant has given the empty cartridge to the police. From perusal of the FIR, it is clear that the only allegation against this petitioner is that he had made fire which did not hit the informant. Petitioner is a student. In this case, no injuries have been caused to anybody. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Rajpur P.S. Case No. 136 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Bikramganj,



Rohtas subject to the conditions as laid down under section
438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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