

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2091 of 2024

Arising Out of PS. Case No.-25 Year-2023 Thana- VIDYAPATINAGAR District- Samastipur

Rajeev Pathak @ Rajiv Kumar Pathak Son of Shambhu Nath Pathak Resident of Village - Ward No.- 5, Ashin Chak, Harsankarpur, P.S.- Dalsinghsarai, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ujjwal Kumar, Adv.

For the Opposite Party/s : Mr. Suman Kumari Singh, APP.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The Petitioner is apprehending his arrest in a case registered for the offences punishable u/s 17, 148, 149, 341, 323, 324, 307, 427, 504, 506 of the Indian Penal Code and u/s 27 of Arms Act.

3. As per the prosecution case, allegedly the petitioner along with FIR named persons and 10-15 unknown persons boarded on 8-10 motorcycles came to the door of the informant and started indiscriminate firing as a result of which one pellet passed touching the thigh of Rohit Giri thereafter, the accused persons shot one Udai Giri and further damaged the motorcycle of Anuj Giri and proceeded from there.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has committed no offence as



alleged. The petitioner has falsely been implicated in this case. There is no specific overt act against the petitioner. There is general and omnibus allegation against the petitioner. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances as well as the allegation being general and omnibus, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory 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, Samastipur in connection with Vidyapati P.S. Case No. 25 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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