

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88557 of 2024

Arising Out of PS. Case No.-175 Year-2024 Thana- BUXAR INDUSTRIAL District- Buxar

1. Ankit Kushwaha @ Ankit Mahto @ Ritik Kumar S/o- Ajit Mahto @ Ajit Kushwaha R/O-Vill-Ward no- 12,Daisagar,P.S.-Rajpur,Distt -Buxar
2. Lalpyari @ Vikash Kumar S/o- Jitendra Kushwaha R/O-Vill-Ward no- 12,Daisagar,P.S.-Rajpur,Distt -Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-12-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend arrest in connection with Buxar (Ind.) P.S. Case No. 175 of 2024, registered under Sections 109, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner along with other co-accused persons went to the door of the informant and called him. It is further alleged that co-accused Chhotu Kumar had fired upon the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Learned counsel for the petitioners also submits



that the allegation levelled against the petitioners are general and omnibus in nature. No specific allegation of firing has been made upon the petitioners. Specific allegation of firing is on co-accused, namely, Chhotu Kumar. The petitioners were only members of the mob. The petitioners have got no criminal antecedent. Learned counsel for the petitioners further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 13.11.2024 passed in Cr. Misc. No. 70518 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Buxar (Ind.) P.S. Case No. 175 of 2024, subject to the conditions as laid down under Section 482(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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