

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1876 of 2024

Arising Out of PS. Case No.-246 Year-2023 Thana- GOGRI District- Khagaria

Abhishek Kumar @ Sanjay Yadav Arun Prasad Yadav R/O - Vill - Ward No 9,
Shishwa (Basudeopur), P.S. Gogri, Dist-Khagaria

... .. Petitioner/s

Versus

The State of Bihar Patna, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vikramadit, Adv. Mr. N. K. Agrawal, Adv.
For the informant	:	Mr. Praveen Kr. Agrawal, Adv. Mr. Santosh Kr. Singh, Adv. Mr. Santosh Kr. Mishra, Adv.
For the Opposite Party/s	:	Mr.Ajay Kumar Jha, APP

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

ORAL ORDER

2 13-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The supplementary affidavit has been filed on behalf
of the petitioner in course of the day.

3. The petitioner is apprehending his arrest in a case in
connection with Gogri P.S. Case No. 246 of 2023 dated
14.07.2023 registered for the offences punishable u/ss 341, 448,
307, 504 read with Section 34 of the Indian Penal Code and u/s
27(i) of the Arms Act.

4. As per the prosecution case, the informant got
information that 4-5 unknown miscreants armed with weapons
entered his house and started abusing and firing. Thereafter, all the



miscreants broke the door of the room of his sister Rashmi Jha and fired on her with intention to kill.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Kanahiya. Learned counsel has further submitted that the informant, the informant's injured sister and his mother have not whispered even a single word against the petitioner. The co-accused has already been granted anticipatory bail by this court vide order dated 07.12.2023 passed in Cr. Misc. No. 79311 of 2023. The petitioner has one more criminal antecedent as stated in para 2 of the supplementary affidavit filed on behalf of the petitioner.

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 as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be 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, Khagaria in connection with Gogri P.S.



Case No. 246 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)

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