

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8046 of 2025

Arising Out of PS. Case No.-40 Year-2023 Thana- AGAMKUAN District- Patna

1. Rambabu Singh Son of Late Prahlad Singh, Resident of Village- Sotichak, P.S.- Fatuha, Distt.- Patna
2. Pinku Kumar @ Pinku @ Pankaj Kumar Son of Rambabu Singh, Resident of Village- Sotichak, P.S.- Fatuha, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jay Ram Prasad, Advocate
For the State	:	Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 14-02-2025 Heard Ld. counsel for the petitioners and Ld. APP
for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Agamkuan P.S. Case No. 40 of 2023, dated 13.01.2023, registered for the offences punishable under Sections 147, 148, 149, 307, 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the allegation, there was indiscriminate firing on the husband of the informant and as per the F.I.R., informant has suspicion that the petitioners and their family members are involved in this firing.



4. Ld. counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that the whole case against the petitioners is based only on suspicion. He also submits that similarly situated co-accused namely, Pawan Kumar has been granted anticipatory bail by this Court vide order dated 17.12.2024 passed in Cr. Misc. 49457 of 2024.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have been made accused in one other cases in which they are on bail.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, this petition is allowed, directing the petitioners, above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction



of Ld. Additional Chief Judicial Magistrate-IV, Patna City, in connection with Agamkuan P.S. Case No. 40 of 2023, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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