

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8127 of 2025

Arising Out of PS. Case No.-1073 Year-2023 Thana- Mufassil District- Khagaria

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Amarjeet Kumar S/O Gayanand Singh @ Ramanand Singh R/O Vill.-
Kashimpur, P.S.- Muffasil, Dist.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-03-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
307, 379 and 506/34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of three cases. It is further submitted
that when the case was instituted at that time the case was
instituted under Section 307 of the Indian Penal Code read with
other sections of the Indian Penal Code. It is next submitted that
police after investigation came to a considered conclusion that
Section 307 of the Indian Penal Code was not made out and thus
submitted charge-sheet but then the learned trial court differing
with the police report took cognizance of the offence under
Section 307 of the Indian Penal Code also. It is thus submitted



that whether it would be prudent for this Court to send the petitioner to jail when one investigating agency based on a threadbare investigation came to a considered conclusion that offence under Section 307 of the Indian Penal Code is not made out and thereafter cognizance was taken based on the same police report which had exonerated the petitioner of the offence under Section 307 of the Indian Penal Code.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or 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) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Khagaria (Mufassil) P.S. Case No. 1073 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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