

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35381 of 2025

Arising Out of PS. Case No.-930 Year-2023 Thana- BIHTA District- Patna

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Amit Kumar S/o- Deepak Kumar Resident of Village-Samasthu Asthan, P.S-
Bihta, Dist-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Usha Kumari Singh, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 28-05-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. A prayer for bail has been made on behalf of the
petitioner in connection with Bihta P.S. Case no.930 of 2023
registered under sections 302, 147, 148 and 149 of the Indian
Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, on 20.9.2023 at about
12:15 p.m. all F.I.R named accused persons along with 15
unknown persons came to the field of the informant variously
armed and started abusing the informant. On protest, all seven
F.I.R named accused started indiscriminating firing upon
informant's brother who sustained fire arm injury and
subsequently, he died during course of treatment.

4. Learned counsel for the petitioner submits that



petitioner is not named in the F.I.R and the specific allegation of firing upon the deceased is on the seven F.I.R named persons. The name of the petitioner has transpired in this case on the confessional statement of co-accused Ritik Kumar @ Sujit Kumar who has already been granted bail by a co-ordinate Bench of this Court vide order dated 27.09.2024 passed in Cr. Misc. No. 36994 of 2024. Except his confessional statement, no other material has come to connect the petitioner in the alleged crime. Learned counsel for the petitioner further submits that three similarly situated accused have already been granted bail by co-ordinate Bench of this Court vide orders dated 24.04.2024, 27.09.2024 and 10.01.2025 passed in Cr. Misc. Nos. 28403 of 2024, 36994 of 2024 and 37014 of 2024 respectively. The petitioner has no criminal antecedent and he is in custody since 13.02.2025 and undertakes to cooperate in the case/trial. Charge-sheet has been submitted in the case.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the above mentioned facts of the case, the petitioner is directed to be enlarged on bail in connection with Bihta P.S. Case no.930 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Danapur on the following conditions:-

(I) He shall co-operate in the investigation/trial either by appearing personally or through his lawyer in the learned trial Court on each and every date. Non-compliance of the condition will be result in cancellation of bail bonds of the petitioner.

(II) The petitioner after being released on bail is directed to mark his attendance at Bihta Police Station, Patna on the first sunday of each month. Any default in appearance of the Police Station would result in cancellation of bail bonds of the petitioner.

(Soni Shrivastava, J)

Harsh/-

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