

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70156 of 2024

Arising Out of PS. Case No.-130 Year-2023 Thana- BAKHTIYARPUR RAIL P.S. District-
Patna

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Rajnish Kumar @ Lukhra Son of Murari Sharma @ Murari Singh Resident of
Village - Bihta (Bihata), P.S.- Salimpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Manish Kumar No 13, Advocate Mr. Rohit Kumar, Advocate
For the Opposite Party/s :		Mr. Pramod Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 3 07-01-2025 1. Perused explanation, *vide* Letter No. 140 dated
28.10.2024, submitted by the court below.
2. Heard learned counsel for the petitioner and the
State.
3. Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 341, 323, 325, 379, 504,
506/34 of the Indian Penal Code.
4. Prosecution case, in brief, is that on 27-28.08.2023
while the informant was on his guard duty, three boys including
this petitioner and one unknown person, came at the gate of
gumti and started abusing him and when informant protested,
they tried to kill him with sharp-edged weapon as a result of
which informant sustained cut injury on his neck and finger. It is



further alleged that the three accused persons have earlier also abused and threatened the informant for not opening the gate.

5. Learned counsel for the petitioner submits that petitioner has got no concern with the alleged occurrence and he has been made accused only on suspicion. Allegation of abuse is general and omnibus and no specific overt act is alleged against the petitioner. It is further submitted co-accused, namely, Prashant Raj @ Chhotu Kumar, having similar and identical allegations, has already been granted anticipatory bail by learned Additional Sessions Judge-10th Patna *vide* order dated 16.04.2024 passed in A.B.P. No. 861 of 2024. Petitioner has got clean antecedent.

6. Learned A.P.P. for the State vehemently opposed the bail application.

7. Considering the nature of accusation and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Railway Magistrate, 1st Class, Patna in connection with G.R.P. Bakhtiyarpur P. S. Case No.



130 of 2023, subject to condition as laid down under Section
438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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