

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84032 of 2024

Arising Out of PS. Case No.-262 Year-2024 Thana- SAKRA District- Muzaffarpur

Kaushal Kumar S/O Suresh Singh Resident of village- Husepur, P.S.- Sakara,
Distt.- Muzafferpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewanand Tiwari, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-01-2025 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, on 13.5.24 at about 5:55 AM, while informant along with her husband were going for morning walk, in the meantime, all the F.I.R. named accused persons made indiscriminate firing due to which husband of the informant sustained injury and subsequently, he died during course of treatment.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Petitioner is not named in the F.I.R. and he has been made accused on the basis of confessional statement of co-accused. He next submits



that paragraph No. 106 of the CDR report reveals that there was short conversation between this petitioner and other accused persons on the phone and except this there is no other material on record to show the complicity of this petitioner in the alleged offence. Petitioner claims clean antecedent.

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

6. 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 Additional Chief Judicial Magistrate 15th (East), Muzaffarpur in connection with Sakra P. S. Case No. 262 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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