

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34889 of 2018

Arising Out of PS. Case No.-134 Year-2017 Thana- PASRAHA District- Khagaria

Kuva Son of Subodh Paswan, resident of Village- Bandehra, P.S.- Pasraha,
District- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 02-07-2018 Heard Sri Bhim Kumar Yadav, learned counsel for
the petitioner and Sri Damodar Prasad Tiwary, learned Addl.
Public Prosecutor.

The sole petitioner, apprehending his arrest in Pasraha
P.S. Case No.134 of 2017 registered for the offence under
Sections 341/307/34 of the Indian Penal Code and Section 27 of
the Arms Act, has prayed for grant of bail, in the event of his
arrest or surrender.

On perusal of the F.I.R., it is evident that without
knowledge of the petitioner and others, one of the co-accused ,
namely, Amit Kumar, who is also friend of the petitioner, shot
fire from back side of the informant. It has been argued that the
informant along with other three accuseed including the
petitioner were playing card and, subsequently, occurrence had



taken place. Learned counsel for the petitioner has drawn my attention to Annexure-2 to the petition i.e. order dated 10.04.2018 passed in Cr.Misc.No.16707 of 2018 to show that other two accused persons, in similar circumstances, have been granted anticipatory bail. It has been argued by learned counsel for the petitioner that the petitioner was not having prior knowledge that his one of the friends , namely, Amit Kumar was going to fire on the informant. Learned counsel for the petitioner has also drawn my attention to the statement made in paragraph-3 of the petition to show that the petitioner is having clean antecedent.

Considering the nature of allegation, clean antecedent of the petitioner as well as the fact that the other two accused persons, in similar circumstances, have been extended the privilege of anticipatory bail, there is no reason to pass a different order in the present case.

Accordingly, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner, namely, Kuva 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 learned Chief Judicial Magistrate, Khagaria in connection with Pasraha P.S. Case No.134 of 2017,



subject to conditions as laid down in Section 438(2) of the Code
of Criminal Procedure.

(Rakesh Kumar, J)

nawalkrs/-

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