

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35419 of 2018

Arising Out of PS.Case No. -457 Year- 2017 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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1. Madhu Kumar Son of late Permanand Singh @ late Prmanand Singh
Resident of Rajaura, P.S. Muffasil , District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Sri S. Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 28-06-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Muffasil P.S.Case No. 457 of 2017 registered under Sections
147, 148, 149, 447, 307, 506 of the Indian Penal Code and 27 of
the Arms Act.

It is submitted by the learned counsel for the
petitioner that except the fact that the name of the petitioner has
been given in the First Information Report, no allegation against
him has been made in the First Information Report that he
participated in any manner in connection with the offence.
Furthermore, it is surprising that though three of the named
accused persons, namely, Murari Kumar, Dinesh Rai and Nitish
Rai are alleged to have opened fire but the same did not hit the



informant or anyone else. The contention is that there was previous enmity and a false and fabricated case has been instituted by the informant in which altogether 10 persons have been implicated.

Considering the nature of allegation and the submissions made above as also statement made in para 3 of the application that the petitioner has got no criminal antecedent, in the event of arrest or surrender before the court below within four weeks from today, he is directed to be released on bail 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 Chief Judicial Magistrate, Begusarai in connection with Muffasil P.S.Case No. 457 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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