

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46602 of 2019**

Arising Out of PS. Case No.-240 Year-2018 Thana- GOPALPUR District- Patna

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MANNU PASWAN Son of Kapil Paswan Resident of village- Hajipur, P.S.  
Fatuha, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Rajendra Nath Jha

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

4      20-11-2019                      Heard both sides.

The petitioner apprehends his arrest in Gopalpur P.S.  
Case No.240 of 2018 registered under Sections 25(1-b)a and 35  
of the Arms Act.

The informant alleged that five accused persons  
including the petitioner came on two motorcycles. The  
informant after seeing them, started fleeing away raising alarm.  
All the accused persons began to chase the informant and they  
opened firing. On chase by villagers, two persons Rajnandan  
Paswan and Jhulan Kumar Paswan were apprehended and from  
their possession, arms and ammunition were recovered.

Learned counsel for the petitioner submits that the  
petitioner is not named in the F.I.R. The name of the petitioner  
surfaced in the case only because the motorcycle of the



petitioner was recovered from the place of occurrence. One co-accused Rakesh Paswan has already been granted anticipatory bail by order dated 04.04.2019 passed in Cr.Misc.No.19840 of 2019. It is further submitted that the petitioner had gone to ease out after parking his motorcycle by the side of the road and there is no material to show that the petitioner participated in the alleged firing, but it appears that the informant made specific allegation that five persons came on two motorcycles and made indiscriminate firing on the informant but the informant managed to flee away. Many people assembled there and apprehended two accused persons from whose possession arms and ammunition were recovered. The motorcycle parked by the petitioner was also seized. Later on, it was found that the petitioner was the owner of one of the motorcycles. The petitioner had also come with other accused persons on motorcycles and made indiscriminate firing on the informant.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

**(Prabhat Kumar Jha, J)**

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