

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65433 of 2019

Arising Out of PS. Case No.-192 Year-2018 Thana- SILAO District- Nalanda

Abinash Paswan @ Abinash Kumar Son of Late Sakaldev Paswan Resident of
Village-Nanand, P.S-Silao, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Silao P.S. Case No. 192 of 2018 registered for the offences punishable under Section 302/34 of the Indian Penal Code and Section 27 of Arms Act.

The allegation of the prosecution is regarding quarrel having taken place in between the grand-daughter of the informant and two other students whereafter the father of the grand-daughter of the informant namely Dhruv Singh had gone to the house of the co-accused Bablu Kumar for making a complaint, however, all the accused persons are said to have surrounded the said Dhruv Singh and thereafter, the co-accused Bablu Kumar had fired from his pistol killing the nephew of the



informant on the spot.

Learned counsel for the petitioner submits that the police has found the case to untrue and has submitted final form. However, the learned court below has differed and taken cognizance of the offence against the petitioner also. It is further submitted that so far as the petitioner is concerned, he is not alleged to have fired on the deceased and the allegation of firing is on the co-accused Bablu Kumar. It is further submitted that the petitioner is having a clean antecedent. Lastly, it is submitted that similarly situated co-accused person namely Vicky Kumar @ Ritesh Kumar has already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 06.11.2019 passed in Cr. Misc. No. 56662 of 2019.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Silao



P.S. Case No. 192 of 2018 subject to the conditions as laid down
under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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