

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33149 of 2020

Arising Out of PS. Case No.-234 Year-2020 Thana- DANAPUR District- Patna

ANRUDH KUMAR (Constable No. 5861) S/o Narsingh Paswan Resident of
Village- Ashma, Post- Maheshdih, P.S.- Akbarpur, District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sheo Kumar Prasad

For the Opposite Party : Mr. Anand Mohan Pd. Mehta, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 21-12-2020 Heard Mr. Sheo Kumar Prasad, learned counsel
appearing on behalf of the petitioner and Mr. Anand Mohan Pd.
Mehta, learned Additional Public Prosecutor, for the State of
Bihar.

This application for grant of regular bail arises out of
Danapur P.S. Case No. 234 of 2020, registered for the offence
punishable under Sections 307, 386, 325, 504 and 506 of the
Indian Penal Code.

The petitioner was a constable in Bihar Police. It is
alleged that the informant's pick-up van was intercepted by
three police personnel in two motorcycles. Allegedly, they were
demanding illegal money of a sum of Rs.5000/- for releasing the
vehicle. The informant resisted and thereafter some scuffle took



place. It is alleged that one of the constables opened fire, which hit in the knee of the informant. Subsequently, all the three managed to flee away.

Learned counsel appearing on behalf of the petitioner has submitted that as a matter of fact, the petitioner is himself a victim and has falsely been implicated because he was asking the informant to park his vehicle at appropriate place. An altercation had thereafter taken place and taking advantage of the situation, the informant lodged a false case.

It transpires from the order passed by the learned Additional Sessions Judge-I, Danapur, dated 26.06.2020, whereby the petitioner's bail application has been rejected, that some of the witnesses have supported the case of the prosecution touching the petitioner's conduct.

Be that as it may, considering the circumstance that the petitioner is in custody since 26.03.2020 and the nature of accusation in the First Information Report, coupled with the submission advanced on behalf of the petitioner, as noted above, this application is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the



learned A.C.J.M. 1st Class, Danapur, Patna, in Danapur P.S.
Case No. 234 of 2020.

It is directed that the defect(s) in the application, pointed out by the Registry, must be removed within two months.

Since COVID-19 pandemic situation is prevailing, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the



present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

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