

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29866 of 2020

Arising Out of PS. Case No.-72 Year-2020 Thana- DANIYAWAN District- Patna

ARVIND RAM Son of Late Sita Ram R/o - Daniyawar, P.S.- Daniyawar,
Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Adv.
		Mr. Amresh Kumar Sinha, Adv.
For the Opposite Party/s	:	Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-12-2020 Heard Mr. N. K. Agrawal, learned senior counsel for
the petitioner and Mr. Nawal Kishore Prasad, Additional Public
Prosecutor for the state through video conferencing.

2. Petitioner apprehends his arrest in connection with
Daniyawar PS Case No. 72/2020 registered for the offence
punishable under Sections 147, 148, 149, 341, 323, 307, 504,
506 of the IPC and Section 27 of the Arms Act.

3. The allegation, as per First Information Report, is
that on the exhortation of petitioner, co-accused, Suryakant Roy
fired upon Prakash Chandra Rai and the bullet hit near the nose
of the victim.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case with an
oblique motive and both the parties are co-villagers and



neighbours. Learned counsel further submits that no overt act has been alleged against the petitioner. It has only been alleged that he instigated the co-accused to fire upon the victim. Learned counsel next submits that other co-accused persons, who were present at the place of occurrence, have been granted anticipatory bail by the court below but bail petition of the present petitioner has been rejected only on the basis of the fact that petitioner had caught hold of the victim and gave order of firing, whereas, from perusal of the FIR, it appears that there is no allegation that the petitioner had caught hold of the victim.

5. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that both the parties are co-villagers and neighbours and there is no allegation of firing upon the petitioner, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, petitioner, ARVIND RAM shall be released on anticipatory bail, in the event of arrest or surrender within six weeks, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Smt. Payal Singhla learned Judicial Magistrate 1st Class, Patna City/the court concerned in connection with Daniyawan PS Case No. 72/2020, subject to the conditions as



laid down under Section 438(2) CrPC.

7. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines of social distancing.

(Anil Kumar Sinha, J)

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