

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80867 of 2019

Arising Out of PS. Case No.-78 Year-2013 Thana- RAJPUR District- Buxar

MUNNA SAH @ MUNNA SAW Son of Late Vishwanath Sah Resident of
Village- Chhatupur, Post- Gagaira, P.S.- Dhansoi, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhijeet Gautam

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 20-01-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Rajpur P.S. Case No. 78 of 2013 for the offence registered
under Sections 302/34 of the Indian Penal Code and Section 27
of the Arms Act.

The allegation is regarding the son of the informant
having been called by some persons and later on the informant
is said to have heard sound of firing whereafter he saw one
Santosh Paswan who is said to have made firing on the son of
the informant. The name of the petitioner is said to have
transpired upon the confessional statement made by the said
Santosh Paswan.

The learned counsel for the petitioner has submitted



that the petitioner is innocent and he has been falsely implicated in the present case. It is also submitted that the petitioner is having a clean antecedent. It is further submitted that the name of the petitioner has transpired in the present case on the basis of the confessional statement made by the co-accused person, namely, Santosh Paswan, who is the person who had fired on the son of the informant resulting in his death. Lastly, it is submitted that similarly situated co-accused person has already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 11.04.2019 passed in Criminal Misc. No. 71113 of 2018.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioner coupled with the fact that the petitioner has not been alleged to have fired upon the son of the informant as also taking into account the parity of the case of the petitioner with that of the co-accused person who has already been granted bail by a coordinate Bench of this Court, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four



weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Rajpur P.S. Case No. 78 of 2013, G.R. No. 832 of 2013 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

S.Sb/-

U		T	
---	--	---	--

