

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81379 of 2019**

Arising Out of PS. Case No.-411 Year-2019 Thana- KHAGARIA District- Khagaria

Neeraj Kumar Anand, Son of Prabhu Narayan Sah, Resident of Village-
Gandhi Nagar, Ward no.4, Police Station-Khagaria, District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjana

For the Opposite Party/s : Mr.Ram Anurag Singh

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 17-06-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection
with Khagaria P.S. Case No. 411 of 2019, registered under
Sections 307, 504 and 506/34 of the Indian Penal Code and
Section 27 of the Arms Act.

The accusation is that on 10.06.2019, at about 9
P.M., informant, Chandan Kumar, was present at his Varamdah.
At that time, one motorcycle came at his door, on which, Neeraj
Kumar Anand (petitioner) and Rajdhani Kumar were sat on the
motorcycle, while he could not identify the person, who was
driving the said motorcycle. Thereafter, all of sudden Neeraj
Kumar Anand (petitioner) took out the pistol and fired at him



but he saved himself by leaning due to that reason firing did not hit to him but gunpowder spread on his arm, chest and face. Thereafter, all started to abuse and threatened him of dire consequences and moved from there. Earlier, petitioner has lodged the case against the informant about committing Marpit with him.

Learned counsel for the petitioner submits that petitioner and the informant are co-villagers and earlier informant of the present case committed Marpit with the petitioner, regarding which, Khagaria P.S. Case No. 314 of 2019 was lodged against the informant of the present case and others due to that reason the present case has been lodged with false allegation. Further submission is that while it is alleged in the FIR that petitioner fired at the informant but it is also stated that only gunpowder spread on his arm, chest and face. Further submission is that while petitioner is accused in two others cases, but in both cases, he is on bail.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six 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 the learned Chief Judicial Magistrate, Khagaria, in connection with Khagaria P.S. Case No. 411 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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