

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82573 of 2019**

Arising Out of PS. Case No.-86 Year-2018 Thana- KHAGAUL District- Patna

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BHOLI PASWAN Son of Chandeshwar Paswan @ Chanarik Paswan Resident  
of Village- Nain Chak, P.S.- Khagaul, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ashok Kumar Sinha  
For the State : Mr. Ashok Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      21-01-2020              Heard the learned counsel for the petitioner and the  
learned APP for the State.

This is an application for grant of anticipatory bail in  
connection with Khagaul P.S. Case No. 86 of 2018, registered  
for the offence punishable under Sections 302/34 of the Indian  
Penal Code and Section 27 of the Arms Act.

The allegation is regarding the informant along with her  
husband being surrounded by six FIR named accused persons  
whereafter the co-accused person, namely Arvind Paswan is  
stated to have fired gunshot on the husband of the informant  
resulting in firearm injury and his death. As far as the petitioner  
is concerned, he is not FIR named accused person and his name  
has transpired subsequently, upon confessional statement made  
by the co-accused person, namely, Amit Kumar.



The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and he is having a clean antecedent. It is further submitted that the accusation of firing gunshots is on the co-accused person, namely, Arvind Paswan and no allegation of commission of any sort of overt act has been levelled against the petitioner. It is further submitted similarly situated co-accused persons have already been granted anticipatory bail by coordinate Benches of this Court vide orders dated 25.9.2018, 29.1.2019 and 19.11.2019 passed in Criminal Miscellaneous No. 50814 of 2018, Criminal Miscellaneous No. 76112 of 2018 and Criminal Miscellaneous No. 73064 of 2019.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, as also taking into account the parity of the case of the petitioner with those of the co-accused persons, who have already been granted anticipatory bail by the coordinate Benches of this Court, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of



receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Danapur, District-Patna in connection with Khagaul P.S. Case No. 86 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

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