

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.882 of 2020**

Arising Out of PS. Case No.-348 Year-2019 Thana- RAHUI District- Nalanda

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Pintu Bind @ Pintu Kumar S/o Dayanand Vind R/o Village- Imli Bigha, P.S.-  
Wena, District- Nalanda.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr.Amresh Kumar Sinha, Advocate  
For the Respondent/s : Mr.Sadanand Paswan, Spl.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH  
ORAL ORDER**

3      04-01-2021                      Heard learned counsel for the appellant and learned  
Special P.P. for the State.

The present appeal has been filed against order dated  
04-02-2020 passed by learned 1<sup>st</sup> Addl. Sessions Judge, Nalanda  
at Biharsharif in Rahui (Wena) P.S. Case No. 348 of 2019  
registered for the offence punishable under Section 147, 148,  
149, 341, 342, 302, 504 & 506 of the Indian Penal Code,  
Section 27 of the Arms Act and Section 3(2)(va) of SC/ST Act,  
whereby the prayer for anticipatory bail of appellant was  
rejected.

As per the prosecution case, on 08-09-2019 at about  
9:15 PM, ten FIR named accused persons, including appellant  
and some unknown persons, armed with weapons, came at the  
house of the informant and started indiscriminate firing on the  
informant's brother, as a result of which, the brother of the  
informant died.



It is submitted on behalf of appellant that the appellant does not carry any specific allegation of assault upon the deceased. He is alleged to be one of the member of the mob. There is general and omnibus allegation of abuse. The appellant has no criminal antecedent, as stated in paragraph – 3 of the memo of appeal.

Considering the aforesaid facts & circumstances as well as nature of allegation, the impugned order dated 04-02-2020 passed by learned 1<sup>st</sup> Addl. Sessions Judge, Nalanda at Biharsharif in Rahui (Wena) P.S. Case No. 348 of 2019 is set aside and appeal is allowed.

Accordingly, let the appellant, above named, in the event of arrest or surrender within a period of eight weeks from the date of receipt/production of copy of this order, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1<sup>st</sup> Addl. Sessions Judge, Nalanda at Biharsharif in connection with Rahui (Wena) P.S. Case No. 348 of 2019.

**(Prabhat Kumar Singh, J.)**

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