

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.13278 of 2022**

Arising Out of PS. Case No.-266 Year-2021 Thana- PAROO District- Muzaffarpur

MANOJ PANDEY @ MANOJ KUMAR PANDEY Son of Late Maheshwar  
Pandey Resident of Village- Pandah, P.S.- Paroo, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Malay Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Ravindra Kumar A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA  
ORAL ORDER**

2      15-09-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State Shri Ravindra Kumar.

Let the defect(s), if any, be removed within a period  
of four weeks.

The petitioner apprehends his arrest in a case  
registered for the offences punishable under Section 307 of the  
Indian Penal Code read with Section 27 of the Arms Act.

The informant alleges that on 25.07.2021 at about  
8:00 am, the petitioner and one Lalu Pandit were settling their  
dispute through Panchayati when some dispute arose and  
petitioner fired which accidentally hit the informant's 9 years  
old grandson who got injured and thereafter, he was taken to  
hospital.

Learned counsel for the petitioner submits that



petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that though in the FIR it is alleged that injury was caused by firearm to the child but the Doctor had opined that the injury was caused by hard and blunt substance. Learned counsel for the petitioner next submits that realizing his mistake the informant has also compromised the case as would be evident from Annexure-2 of the anticipatory bail application.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that there is allegation of firing against the petitioner hitting the child as alleged in the FIR, it is next submitted that as far as it has been submitted by the learned counsel for the petitioner that the doctor had opined the injuries to have been caused by hard and blunt substance but, then there is nothing on record to suggest that the injuries were caused by hard and blunt substance.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned court below where the case is pending/successor court in connection with Paroo P.S. Case No. 266 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The learned Trial Court before accepting the bail bonds of the petitioner shall verify the injury from the injury report and if it is recorded that the injury has been caused by hard and blunt substance then the present order shall be acted forthwith and in the event, if it is found that the injury was caused by firearm then the present anticipatory bail order shall not be given effect to.

**(Satyavrat Verma, J)**

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