

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44363 of 2022

Arising Out of PS. Case No.-113 Year-2019 Thana- RUPAULI District- Purnia

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SATENDRA KUMAR BHARTI @ SATENDRA PASWAN @ SATYENDRA
KUMAR BHARTI @ SATYENDRA PASWAN Son of Parmanand Paswan
Resident of village - Ajhokopa, P.S. - Rupauli, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Ms. Dr. Indihar Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-12-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

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 Sections 147, 148, 149, 341, 307,
302, 452, 504, 506 and 114 of the Indian Penal Code and Section 27
of the Arms Act.

Learned counsel for the petitioner submits that petitioner
is a person with clean antecedent.

The informant alleges that on 30.08.2019 at 09:00 p.m.
she was having dinner at her house when the accused persons
including the petitioner came and started abusing and on protest
petitioner along with four other accused started firing



indiscriminately thereafter Kavi Paswan fired with his pistol which hit the informant's elder son causing injury on the head, thigh and other parts of the body thereafter Ruplal Paswan fired with his pistol causing injury to the informant's husband. It is further alleged that informant's son died and the husband was injured and taken to the hospital by the local people.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that allegation of firing against the petitioner is general and omnibus in nature. It is next submitted that specific allegation of firing is against Kavi Paswan and Ruplal Paswan causing injury to the son and the husband of the informant. It is also submitted that the son even died on account of firing made by Kavi Paswan. Learned counsel further submits that petitioner is suffering from various ailments and his treatment is going on at PMCH and the IGIMS, Patna as would be evident from the prescription annexed as Annexure-2 series. Learned counsel next submits that petitioner is not evading the law rather will cooperate in the investigation and will present himself as and when required by the investigating officer so that the truth comes out.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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 Rupauli P.S. Case No. 113 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, in the event, if the investigating officer of the case files an application bringing to the notice of the learned trial court that the petitioner despite giving assurance to this Court is not cooperating in the investigation or is not presenting himself when called by him, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner after giving an opportunity of hearing.

Further, in the event, if the investigating officer after investigation submits charge-sheet connecting the petitioner with the offence the present anticipatory bail order shall lose its effect.

(Satyavrat Verma, J)

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