

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5529 of 2021**

Arising Out of PS. Case No.-145 Year-2017 Thana- LAKHISARAI District- Lakhisarai

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ARUN PASWAN S/o Shyamali Paswan R/o Mohalla- Santar, Ward No. 13,
P.S. and District- Lakhisarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lakshmi Kant Sharma

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

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 05-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Lakhisarai P.S. Case no. 145 of 2017 instituted for the offence under Sections 324, 326, 307 and 120B of the Indian Penal Code.

As per allegation in the FIR, some unknown miscreants given fire shot to the brother of the informant with an intention to kill him causing firearm injury on his head and neck. He was taken to Rajeshwar Hospital but at that time, he was not in a position to give fardbeyan.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no



offence. He has falsely been implicated in this case. Actually, petitioner had implicated the family of informant in an earlier case regarding getting benefit of Shauchalaya Yojna without having any house at Lakhisarai and in retaliation, the present case has been lodged by the informant against the petitioner. After two years, statement of the injured was recorded for the first time where he has not taken the name of the petitioner but in his re-statment, he has taken the name of the petitioner. Petitioner has no criminal history. Police has recorded the statement of injured on 3.4.2017 which is mentioned in para 101 of the case diary, in which he has disclosed that Bablu Ram, Dev Kumar, Chandan Daas suddenly started to assault me by fist and fat by which I loose my sense and who has shot fire, I could not identify. Here also injured is not taking the name of the petitioner. There is no direct allegation or evidence against the petitioner.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of



four weeks from today and in the event of his arrest or surrender in connection with Lakhisarai P.S. Case no. 145 of 2017, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Lakhisarai subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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