

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50749 of 2022

Arising Out of PS. Case No.-158 Year-2020 Thana- BIDUPUR District- Vaishali

DEEP NARAYAN SINGH SON OF LATE NUNULAL SINGH RESIDENT
OF VILLAGE- MAJLISHPUR, P.S.- BIDUPUR, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravish Mishra

For the Opposite Party/s : Mr.Pranav Kumar

Mr.Choube Jawahar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-12-2022 At the outset, learned counsel for the petitioner seeks permission to make correction in prayer portion of the bail petition.

Permission is accorded. It may be done in course of the day.

Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered under Sections 341, 323, 324, 307 and 34 of the Indian Penal Code.

As per prosecution case, all the F.I.R. named accused persons including the petitioner, armed with weapons, came to the house of informant and made indiscriminate firing. They were searching for Sanjay (brother-in-law of the informant). The father-in-law of the informant came and informed that Sanjay



was not present in the house. Thereafter, the accused persons abused and made indiscriminate firing. The firing made by Kundan and Ritesh hit the informant.

Learned counsel for the petitioner submits that both the injuries, sustained by informant, are attributed to co-accused Kundan and Ritesh. Petitioner is only alleged to have made firing but no one sustained injury. Police after investigation submitted final form. Prior to instant case, co-accused Rahul Kumar lodged a case, vide Bidupur P.S. Case No. 152/2020, against three sons of informant and her brother-in-law. Petitioner has got clean antecedent.

Learned counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that petitioner is named in the F.I.R. and there is specific allegation of firing against him. He further submits that petitioner has no apprehension of arrest, in view of the fact that petitioner has filed quashing petition before this Hon'ble Court, vide Cr.Misc. No. 57246/2022 (arising out of same P.S. case no.), in which, Hon'ble Court has already stayed further proceeding.

However, considering the fact that specific allegation is against co-accused Kundan and Ritesh and petitioner has got clean antecedent, in the event of arrest/surrender within a period



of six weeks from today, let the above named petitioner 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 Addl. Sessions Judge – II, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 158 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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