

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21869 of 2023

Arising Out of PS. Case No.-777 Year-2022 Thana- GAURICHAK District- Patna

LAXMAN KUMAR @ LAKSHMAN PRASAD SINGH S/O- SRI
RAMPRATAP SINGH VILLAGE- LAHLADPUR PS- GAURICHAK DIST-
PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate Mr. Abhay Kumar, Advocate
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP
For the Informant	:	Ms. Sanju Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 11-07-2023 Heard learned Senior counsel for the petitioner and

learned A.P.P. for the State along with learned counsel for the

informant.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 147, 148,
149, 307, 504 and 506 of the Indian Penal Code and 27 of the
Arms Act.

Learned Senior counsel for the petitioner submits that
the petitioner has antecedent of one case and the informant
alleges that on 21.11.2022, Ranvir, Gulshan, Navin, Rahul and
Chandan along with 5-7 unknown accused persons fired about
50 rounds from their arms with an intention to finish the entire



family of the informant for not withdrawing the complaint, further alleges that firing was done at the behest of Rekha Devi, petitioner and family members of the Aanganwadi Sevika.

Learned Senior counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that petitioner is the Chairman of *PACS* and Rekha Devi is *Mukhiya*. It is next submitted that there is dispute between the informant and the petitioner for which the informant has also filed a complaint against him. It is further submitted that since dispute is brimming between the informant and the petitioner, as such, why the petitioner would have got the occurrence committed. It is next submitted that it is not the case of the informant that petitioner was present at the place of occurrence, rather the entire allegation hinges around suspicion. It is also submitted that it is not the case of the informant that in the firing anyone died and the allegation of firing against the accused person is specific.

Learned Senior counsel for the petitioner further submits that the complaint instituted by the informant against the petitioner has already been disposed of in favour of the petitioner, as such there was absolutely no occasion for the petitioner for getting the occurrence committed.



Learned A.P.P. for the State along with learned counsel for the informant opposes the prayer for anticipatory bail of the petitioner, but are not in a position to rebut the submissions of the learned Senior counsel for the petitioner that petitioner was not present at the place of occurrence and the entire allegation hinges around suspicion.

Considering the submissions made by the learned Senior counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court 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 trial court where the case is pending/successor court in connection with Gaurichak P.S. Case No. 777 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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