

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34397 of 2023

Arising Out of PS. Case No.-304 Year-2022 Thana- EKANGARSARAI District- Nalanda

KISHOR PASWAN Son of Ritu Paswan Resident of village - Oriyawan, P.S. -
Ekangar Sarai, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Devika Rani, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-07-2023 Heard the parties.

The petitioner is apprehending his arrest in connection with Ekangar Sarai P.S. Case No. 304 of 2022 for the offence under Sections 341, 307, 504, 506, 147 and 148 of the I.P.C. and Section 27 of Arms Act lodged on 16.12.2022 by the informant, Sanjira Devi.

As per the prosecution story, the informant alleged that she was at her home when the accused persons came and started abusing and upon protest, Pappu Paswan and Kishor Paswan opened fire which hit the wall of the house. Accordingly, the F.I.R.

Learned counsel for the petitioner submits that a bare perusal of the F.I.R. shows that there is no injury on anyone and



the same has been made only to implicate the petitioner.

Learned APP opposes the prayer stating that allegation of opening fire is against this petitioner.

Taking into account the submissions put forward by the learned counsel for the petitioner as also that there is no injury on the informant side, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M Hilsa, Nalanda, in connection with Ekangar Sarai P.S. Case No. 304 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;



(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

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