

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38478 of 2023

Arising Out of PS. Case No.-186 Year-2022 Thana- CHAPRA TOWN District- Saran

Rajbandhu Tiwari S/O Late Anirudh Tiwari R/O Village. Chhitauni, PS. Sahajitpur, Dist. Saran. At present Mohalla- Prabhunath Nagar, PS. Chapra Muffasil, Dist. Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Parashar, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 28-07-2023 1. Heard the learned counsel for the petitioner and learned APP for the State.
2. This is an application for grant of anticipatory bail in connection with Chapra Town P.S. Case No.186 of 2022, registered for offences under Sections 186, 188, 353, 504, 506/34 of the IPC and Section 27 of the Arms Act.
3. The allegation is regarding two unknown miscreants having arrived at the Office of the Circle Officer, Sadar, Chapra, on the alleged date and time of occurrence, whereafter they had resorted to firing gunshots in the air and then they had fled away. It is alleged that during the



course of investigation, the name of the petitioner has surfaced and he is alleged to be one of the miscreants, who had fired in the air.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. The learned counsel for the petitioner has further submitted that a superficial sort of allegation has been levelled and in fact, the petitioner was not present at the spot, however, in any view of the matter the allegation is of only firing gunshots in the air.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the name of the petitioner has transpired in the present case during the course of investigation, on suspicion to the effect that he is



one of the miscreants, who had fired in air near the Circle Office, Sadar, Chapra, apart from the fact that the motorcycle on which the miscreants had arrived at the Circle Office, Sadar, Chapra, does not belong to the petitioner, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

7. Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Town P.S. Case No.186 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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