

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36764 of 2023

Arising Out of PS. Case No.-588 Year-2021 Thana- GAURICHAK District- Patna

NAWAL KISHOR SINGH S/O LATE JAGDISH SINGH R/O Vill. Piyaria,
Post. Alawalpur, PS. Gaurichak, Distt. Patna. A/P Residence of Mitramandal
Colony, Saket vihar, Anisabad, Distt. Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Verma, Adv.

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-07-2023 Heard the learned counsel for the petitioner and

learned APP for the State.

This is an application for grant of anticipatory bail
in connection with Gaurichak P.S. Case No.588 of 2021,
registered for offences under Sections 307 and 34 of the Indian
Penal Code and Section 27 of the Arms Act.

The allegation is regarding the accused persons,
including the petitioner herein, having fired gunshots on the
informant, resulting in him sustaining bullet injuries. The
informant is stated to be working as a painter and was living in
the godown in question.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, he has been falsely
implicated in the present case. The learned counsel for the



petitioner has further submitted that the petitioner is accused in one another case, but he is on bail in the said case. The learned counsel for the petitioner has also submitted that at best, the role of the petitioner is that of an order giver, however, he is not alleged to have fired gunshots. It is next submitted that similarly situated co-accused persons have already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court vide order dated 11.01.2023, passed in Cr.Misc. No.51229 of 2022.

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

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 parity of the case of the petitioner with that of the co-accused persons, who have already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

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 Additional Chief Judicial Magistrate-VI, Patna City, in connection with Gaurichak P.S. Case No.588 of 2021, 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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