

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36856 of 2023

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

Chandan Patel @ Chandan Kumar S/O Nawal Singh @ Nabal Kumar Singh
R/O Vill. Ramganj, PS. Gaurichak, Dist. Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 26-07-2023 Heard Mr. Sudhir Kumar, learned counsel appearing
on behalf of the petitioner and the learned APP for the State.

2. The petitioner apprehends his arrest in connection with Gaurichak P.S. Case No. 777 of 2022 registered for the offence punishable under Sections 147, 148, 149, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. It is alleged that in the night of 21.11.2022, all the accused persons including the petitioner armed with weapons went to the house of the informant and started indiscriminate firing and threatened with dire consequences to withdraw the earlier complaint.

4. Learned counsel appearing on behalf of the petitioner submits that falsity of the case is writ large as two FIR has instituted at the same time, on the same day with same



allegation, but at two different places and in that case, the petitioner has already been allowed the privilege of anticipatory bail. He further submits that there is ominous allegation against all the FIR named accused persons and no specific allegation has been levelled against anyone. That apart, neither any injury has sustained to anyone nor there is any recovery from the whereabouts of the petitioner. He next submitted that save and except the earlier case lodged by the persons of the informant being Gaurichak P.S. Case No. 776 of 2022, he has absolutely clean antecedent.

5. On the other hand, learned APP for the State vehemently opposes the pre-arrest bail application.

6. Considering the submissions made on behalf of the parties and taking into consideration the political rivalry between the persons of the informant and the petitioner, resulting into lodging of the cases against each other, let the above named petitioner, be released on bail, in the event of his arrest of surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds 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, Patna in connection with



Gaurichak P.S. Case No. 777 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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