

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 44685 of 2023

Arising Out of PS. Case No.-315 Year-2021 Thana- ARA MUFFSIL District- Bhojpur

Sonu Kumar S/O Umesh Rai R/O Village- Jamira, PS. Ara (Mufassil), Dist. Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagadeo Choubey, Adv.

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 504 of the I.P.C. read with Section 27 of the Arms Act.

3. As per the prosecution, the F.I.R. has been lodged against 8 named persons including the petitioner to have assaulted the informant and others. The accused persons also alleged to have resorted fire on the informant and others. The specific acquisition of firing on the informant is against co-accused, namely, Suresh Rai.

4. Learned counsel for the petitioner submits that from the contents of *fardbeyan*, it is crystal clear that the

specific allegation of firing is against co-accused, namely, Suresh Rai, whereas the allegation against the petitioner is general and omnibus. Subsequently, cordial relationship has been restored between the parties and to that effect, a compromise petition has been filed before the Trial Court, which is annexed as Annexure-2.

5. Learned counsel for the petitioner further submits that there is one case pending against the petitioner, in which he is on bail. Counsel submits that the other co-accused persons against whom the allegation of firing is there have been granted bail by the Co-ordinate Bench of this Court vide order dated 10.01.2023 and 16.11.2022 passed in Cr. Misc. No. 35670 of 2022 and Cr. Misc. No. 31120 of 2022 respectively.

6. Learned A.P.P. for the State opposes the prayer for bail.

7. In the present facts and circumstances of the case and the submissions made above, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.- IIIrd, Ara,

Bhojpur in connection with Ara Mufassil P.S. Case No. 315 of 2021, dated 26.11.2021 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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