

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50540 of 2023

Arising Out of PS. Case No.-44 Year-2020 Thana- MANPUR District- Nalanda

MANOJ PASWAN SON OF KAILASH PASWAN RESIDENT OF
VILLAGE- GONGRIPAR, PS- MANPUR, DIST- NALANDA

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rabindra Prasad Singh, Advocate

For the Opposite Party/s : Ms.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Manpur P.S. Case No.- 44 of 2020 registered for the offences punishable under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code and under Section 27 of the Arms Act. He has got no criminal antecedent.

3. Learned counsel for the petitioner submits that as per prosecution story this petitioner had fired on the stomach of the informant.

4. Learned counsel for the petitioner submits that there was previous enmity between the parties due to which the petitioner who is a member of Border Security Force and is presently posted at Kashmir has been dragged in this case with a view to spoil his carrier and put harm to his job and to cause economic crisis in the family.

5. Learned counsel further submits that since the parties



are co-villagers now with the intervention of well-wishers they have entered into compromise and in this connection the informant has filed an application in the learned court below stating that they have no dispute and they want to live peacefully.

6. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

7. Having regard to the facts and circumstance where this Court noticed that this petitioner is a member of Border Security Force and is presently posted at Kashmir and at this stage, both the families are claiming that they have compromised and are living peacefully, instead of granting privilege of anticipatory bail to the petitioner, this Court is of the opinion that let the petitioner surrender in the court below with prior information to the informant and in case the informant appears to support the plea of the petitioner, the prayer for regular bail of the petitioner shall be considered by the learned court below on the same day and an appropriate order shall be passed thereof keeping in view all considerations including the nature of job of the petitioner and the factum of compromise.

8. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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