

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53805 of 2023**

Arising Out of PS. Case No.-63 Year-2023 Thana- BEERPUR District- Begusarai

NEVI KUMAR S/O CHANDRADEO MAHTO R/O VILLAGE-  
BARHARA, P.S- BIRPUR, DISTT.- BEGUSARAI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                        |
|--------------------------|---|------------------------|
| For the Petitioner/s     | : | Mr.Braj Bhushan Poddar |
| For the Opposite Party/s | : | Mr.Satyendra Prasad    |
| For the Informant        | : | Mr.Anshu Dhar Sharma   |
|                          |   | Mrs. Namita Sharma     |

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

ORAL ORDER

3      08-11-2023                      Heard the learned counsel for the petitioner as well  
as learned APP for the State.

2. The petitioner apprehends his arrest in connection with Birpur P.S. Case No. 63 of 2023, registered for the offences punishable under Sections 341, 307, 326, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation, when the informant along with his brother was returning his house, co-accused Shaurabh Kumar opened fire at abdomen of his brother, with an intention to kill him. The informant came to save his brother, but all the accused persons fled away.



4. The learned counsel for the petitioner has submitted that the FIR shows itself that there is allegation against co-accused Shaurabh Kumar that he fired shot at the abdomen of brother of the informant. The only allegation against the petitioner is that he was also with co-accused Shaurabh Kumar. There is no allegation against the petitioner of opening fire. He has also submitted that later on, Shaurabh Kumar was murdered by the members of prosecution side.

5. On the other hand, the learned counsel for the informant has submitted that the injured suffered fire-arm injuries in his abdominal region and the petitioner was also with co-accused Shaurabh Kumar.

6. The co-accused against whom there is allegation of firing, has died and as per allegation, the informant and his family members committed his murder.

7. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> -cum-Additional Munsif, Begusarai in connection with Birpur



P.S. Case No. 63 of 2023, subject to the conditions as laid  
down under Section 438(2) Cr.P.C.

**(Nawneet Kumar Pandey, J)**

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