

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53832 of 2023

Arising Out of PS. Case No.-135 Year-2023 Thana- BUXAR District- Buxar

Karan Kumar @ Karan Yadav Kaudi @ Kaudi Son Of Bhulan Yadav Resident
Of Village - Shantinagar, Police Station - Buxar Town In The District Of
Buxar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-08-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Buxar Town P.S. Case No. 135 of 2023 dated 08.03.2023
registered for the offence(s) punishable under Section(s) 341,
323, 307, 120-B/34 of the Indian Penal Code and Section 25(1-
b)a, 26, 27, 35 of Arms Act, later on Section 302 of the IPC was
added.

3. The main submissions advanced by the learned
counsel for the petitioner are that though the petitioner is named
in the FIR but against him there is no specific allegation and
even he is not stated to be equipped with any arms at the time of
commission of the alleged occurrence and the main allegation of



firing is against co-accused Raja Paswan and Ajay Paswan who allegedly fired at the victim and one co-accused namely Arbaj Khan carrying similar nature of allegation has been granted anticipatory bail by co-ordinate bench of this court vide order passed in Cr. Misc. No. 32613 of 2023. It is further submitted that against the petitioner there is criminal antecedent of one case which was lodged under Sections 147, 149, 341, 323, 504, 506/34 in which he is on bail and against him, there is no specific allegation in the FIR and he is simply stated to be present at the place of occurrence as a companion of the main accused persons.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the nature of allegation appearing against this petitioner and also the facts that the main allegation of causing fire-arm injuries to the victim is against two co-accused persons and one similarly situated co-accused person namely Arbaj Khan has already been granted anticipatory bail, in my opinion, in the light of these facts, the petitioner deserves to the privilege of anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a



period of six weeks from today, be released on anticipatory bail in connection with Buxar Town P.S. Case No. 135 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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