

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53921 of 2023

Arising Out of PS. Case No.-432 Year-2022 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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PRANAV KUMAR @ BHOLI SINGH @ PARNAV KUMAR @ PRANAV
KR. S/o PAPPU SINGH @ RAKESH KUMAR Village- Bishrampur Ps-
Imamganj, dist- Gaya P/A- Quater no- 19, A.P Colony near Power Greed
Gaya Ps- Rampur Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

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

2. The petitioner apprehends arrest in connection with
Magadh Medical P.S. Case No. 432 of 2022 dated 28.11.2022,
instituted for the offence punishable under Sections 341, 323,
504 and 34 of the Indian Penal Code and under Sections 25(1-
b)a, 26, 27 and 35 of the Arms Act.

3. The prosecution case, in short, is that while
informant was talking to his co-villagers, the accused persons
including the petitioner had arrived there and started a heated
arguments, abused and assaulted the informant. It is further
alleged that the petitioner had fired gunshots on the informant



but the bullet hit the jacket of one Shamsheer Singh and when the villagers started gathering at the place of occurrence, the accused persons fled away by firing gunshot, leaving behind their own Swift Desire Vehicle No. BR-02 AK-1169 from which it is alleged that five live cartridges have been recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that there was dispute between the informant and informant's elder brother, namely, Robin Singh, who is the maternal uncle of the petitioner. Petitioner has no concern with the said Swift Desire vehicle bearing No. BR-02 AK-1169 from which five cartridges were recovered. Petitioner is neither the owner nor the driver of the said vehicle. It is submitted that informant's friend (co-accused) namely Praveen Kumar has enmity with one co-villager as both of them used to work as land broker and therefore, they often confronted with each other. Petitioner has been implicated in this case because he is friend of the said co-accused. It is further submitted that the petitioner earns his livelihood by running a Sub-dealership of auto rickshaw having his showroom at this village. Lastly, it has been submitted that he has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of



the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner in connection with Magadh Medical P.S. Case No. 432 of 2022, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist Class, Gaya, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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