

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54726 of 2022

Arising Out of PS. Case No.-98 Year-2019 Thana- MAHNAR District- Vaishali

Nawneet @ Rishi Prakash Son Of Late Kamal Ray Resident Of Village -
Didarganj Patna City, P.S.- Patna City, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 17-02-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner, as per the prosecution case, is that when the informant was returning home then a Wagon- R vehicle on which the petitioner was sitting overtook his motorcycle. At the same time, two unknown persons came on Splendor-pro Motorcycle and fired over him and he got injured. He further alleged that one and half year before, the petitioner had threatened to kill him. He also alleged the petitioner had got attacked on him.

It is submitted by learned counsel for the



petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the allegation of firing is specific against the other persons and not against the petitioner. He further submits that the injury report of the informant has not been produced by the police and, even, it is not available in the case diary, this itself shows that the informant has not sustained any injury. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Manhar P.S. Case No. 98 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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