

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66425 of 2022**

Arising Out of PS. Case No.-402 Year-2022 Thana- KAUWAKOL District- Nawada

SHIV BALAK PASWAN Son of Late Badhan Paswan R/V- Sarouni, P.S-
Kawakole, Dist- nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha

For the Opposite Party/s : Mr.Nawal Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 09-05-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 307, 379 and some other ancillary Sections of the Indian Penal Code and u/s 27 of Arms Act. .

The prosecution case in nutshell is that petitioner along with other co-accused, variously armed, assaulted the informant and his nephew(bhagina) due to which they sustained injuries. Specific allegation against this petitioner is that he made indiscriminate firing in the air.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is further submitted that though there is allegation of firing against this petitioner but no one sustained



any injury. There is case and counter case between the parties. From the perusal of the injury report of the nephew of the informant, it appears that the injury sustained by him is simple in nature and caused by hard and blunt substance, which do not corroborate with the prosecution version of the case. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st class, Nawada in connection with Kawakole PS case No. 402/ 2022, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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