

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72656 of 2023

Arising Out of PS. Case No.-151 Year-2023 Thana- RAHUI District- Nalanda

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DHANANJAY RAM S/O Sudhir Ram R/O Village- Indwas, P.S- Rahui,
Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Bharti, Adv.

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-11-2023 1. Heard learned counsel for the Petitioner and
learned APP for the State

2. The Petitioner apprehends his arrest in connection
with Rahui P.S. Case No. 151 of 2023 dated 15.04.2023
registered for the offences punishable under Sections 448, 341,
323, 307, 504 and 506 read with Section 34 of the Indian Penal
Code and Section 27 of the Arms Act.

3. The main submissions advanced by learned
counsel for the petitioner are that though, the petitioner has been
named in the FIR but there is no specific allegation against the
petitioner and the main allegation of causing firearm injury to
the informant's husband is against co-accused Anant Kumar
who has been granted regular bail by a co-ordinate Bench of this
Court vide order passed in Cr. Misc. No. 48703 of 2023 mainly



considering the nature of injury of the informant's husband and in this regard order impugned may be perused which goes to show that the informant's husband sustained simple injury in the alleged firing moreover, the allegation of firing is not against this petitioner and altogether seven accused persons including the petitioner has been named in the FIR. Further submissions are that an incident of free fight took place in between both the parties and persons of both the sides sustained injuries in the said occurrence and there is case and counter case in between both the parties and the petitioner has got no criminal antecedent. Furthermore, the manner of occurrence as described in the FIR is completely false, in fact, on 14.04.2023 informant's husband came at the house of the petitioner and started abusing and assaulting the uncle of the petitioner which was objected by the brother of the petitioner and thereafter, an occurrence leading to a free fight took place in between both the parties in which several persons from petitioner's side have also sustained injuries.

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

5. Considering the above submissions and mainly the nature of allegation appearing against the petitioner and also, the



fact, that the above-mentioned main accused is on bail and there is case and counter case in between both the parties and as per above submissions some persons from petitioner's side have also sustained injuries, in my opinion, in the said circumstances, 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 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 in connection with Rahui P.S. Case No. 151 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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