

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8520 of 2024

Arising Out of PS. Case No.-736 Year-2022 Thana- NAUBATPUR District- Patna

Premchand Mahto, S/O Late Nayak Mahto Village- Chainpura (Chainpur),
Dariyapur, Ps. Naubatpur, Dist. Patna.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Samrendra Kumar Jha, Adv.
For the Opposite Party/s : Mr.Rana Randhir Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 21-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Naubatpur P.S. Case No. 736 of 2022 dated 28.11.2022 registered for the offences punishable u/ss 341, 323, 504, 506 read with section 34 of the Indian Penal Code and u/s 27 of the Arms Act and u/s 37(b)(c) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have fired on the informant which did not hit him. After hearing the sound of firing, several persons came there and one Ravi Kumar was apprehended in drunken position.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this



case. As per the F.I.R. an altercation was taken place between the son of the petitioner, Ravi Kumar and the informant due to this reason, the petitioner has been made accused in this case. Nothing has been recovered from the possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged offence. No one sustained firearms injury. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Danapur in connection with Naubatpur P.S. Case No. 736 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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