

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9166 of 2024**

Arising Out of PS. Case No.-444 Year-2023 Thana- FORBESGANJ District- Araria

Md. Arman SON OF MD. VASIM @ MD VASIM RESIDENT OF
VILLAGE- BAIRIYA WARD NO. 8, PS- NARPATGANJ, DIST- ARARIA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Tarun Prasad Mandal

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

ORAL ORDER

4 21-06-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Forbisganj P.S. Case No. 444 of 2023 dated 21.05.2023 registered for the offences punishable under Sections 341, 323, 325, 326 and 307 read with 34 of the Indian Penal Code and Section 27 of the Arms Act.

4. As per the prosecution case, the informant got an information that her husband was shot. In the hospital, the informant's husband told that the petitioner along with other co-accused persons boarded on two motorcycles with an intention to kill shot on his abdomen near the tea shop of the co-accused, Md. Nasim.



5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is further submitted that the informant's husband in para 38 of the case diary has stated that the petitioner opened fire on him which hit his chest but as per the F.I.R. the petitioner opened fire on the informant's husband which hit his abdomen which creates doubt upon the prosecution case. It is further submitted that the impugned order does not show any injury. It is further submitted that the occurrence took place on 20.05.2023 in which the informant's husband sustained gun shot injury but he was diagnosed on 31.05.2023 which is itself contradictory. There is general and omnibus allegation against the petitioner. The co-accused person has already been granted anticipatory bail by this court vide order dated 06.12.2023 passed in Cr. Misc. No. 73923 of 2023. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be



enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Araria in connection with Forbisganj P.S. Case No. 444 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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