

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15226 of 2024

Arising Out of PS. Case No.-264 Year-2023 Thana- GAURICHAK District- Patna

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INDAL PASWAN S/O LATE RAJDEV PASWAN R/O VILLAGE- ANDARI,
P.S- GAURICHAK, STATE- BIHAR, DISTT.- PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Narayan
For the Opposite Party/s : Mr. Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 09-05-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
324, 307, 506 and 34 of the Indian Penal Code read with Section
27 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and has been falsely
implicated in the instant case by the informant with an
allegation that he fired causing injury on head and left eye of the
informant and when the villagers gathered, the accused persons
fed away. It is further submitted that by order dated 21.03.2024,
case diary along with injury report was called for, but the same
till date has not been received. It is next submitted that he has



instructions to make submissions that though there is allegation of firing but then no firearm injury was caused to the informant. It is next submitted that petitioner herein had instituted Gaurichak P.S. Case No. 229 of 2023 against the informant and others.

4. Learned A.P.P. for the State submits that from perusal of the order impugned, it would manifest that the same also does not record about the injury.

5. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on **Provisional Anticipatory Bail** on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Gaurichak P.S. Case No. 264 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, the learned Trial Court shall verify the injury report of the injured and in the event if it is found that the injured suffered firearm injury, in that event, the provisional anticipatory bail bonds of the petitioner shall be cancelled



forthwith, but if it is found that the injured did not suffer any firearm injury, in that event, the provisional anticipatory bail bonds of the petitioner shall be confirmed on the same terms and conditions.

(Satyavrat Verma, J)

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