

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17642 of 2024

Arising Out of PS. Case No.-204 Year-2023 Thana- EKANGARSARAI District- Nalanda

Praveen Kumar, Male, aged about 21 years, Son Of Vijay Kumar, resident of
village Gareriya Bigha, P.S.-Ekangarsarai, District-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-03-2024 Heard Mr. Rajeev Kumar, learned counsel appearing
on behalf of the petitioner and Mr. Zainul Abedin, learned APP
for the State.

2. The petitioner seeks pre-arrest bail in connection
with Ekangarsarai P.S. Case No. 204 of 2023, registered for the
offence punishable under Sections 341, 323, 147, 148, 207 of
the Indian Penal Code and Section 27 of the Arms Act.

3. As per the allegation made in the FIR, when the
patrolling team had received secret information that some
miscreants were engaged in firing, they had reached the place of
occurrence and upon enquiry, it was found that petitioner and



some other accused persons were engaged in firing due to rivalry.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and have falsely been implicated in the present case. He further submitted that at the time, patrolling team had reached the place of occurrence, petitioner was not found firing, however, he has been made accused in a false case. On these grounds, petitioner seeks to be released on bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR, as well as, the fact that no injury has been caused to anyone, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Hilsa, Nalanda, in connection with Ekangarsarai P.S. Case No. 204 of 2023,



subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

Niraj/-

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