

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18717 of 2024

Arising Out of PS. Case No.-677 Year-2023 Thana- MANER District- Patna

Raushan Kumar @ Raushan Paswan S/O Krishna Paswan R/O Village- Kaji
Mohalla Rasulpur, P.S- Maner, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

For the Petitioner/s : Mr.Satish Chandra, Adv.
For the Opposite Party/s : Mrs.Asha Devi, APP

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

ORAL ORDER

2 04-04-2024 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 Maner P.S. Case No. 677 of 2023 dated 16.09.2023 registered for the offences punishable u/ss 307 read with section 34 of the Indian Penal Code and u/s 27 of the Arms Act.

3. As per the prosecution case, 5-6 unknown miscreants armed with deadly weapons are alleged to have come to the informant's house and started abusing and firing indiscriminately which did not hit him. Thereafter, the accused persons fled away.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the apprehended co-accused, Monu Kumar. Nothing has been



recovered from the conscious possession of the petitioner. There is no specific allegation of firing is against the petitioner. It is further submitted that nobody has injured and no injury has been found to the person of the informant and his family members so Section 307 of the I.P.C. is not made out against the petitioner. The petitioner has one 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 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, Patna in connection with Maner P.S. Case No. 677 of 2023, 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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