

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21958 of 2024

Arising Out of PS. Case No.-517 Year-2022 Thana- DHANARUA District- Patna

Manish Paswan S/o Late Kalindra Paswan R/o vill - Jiyauddin Chak, P.S. -
Dhanarua, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

5 20-09-2024 As prayed for, learned counsel for the petitioner is permitted to make necessary correction in para 2 of the supplementary affidavit in course of the day.

2. Heard learned counsel for the petitioner and learned A.P.P. for the State.

3. The petitioner is apprehending arrest in connection with Dhanarua P.S. Case No. 517 of 2022 registered for the offences punishable under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

4. As per prosecution case, co-accused Sushil Yadav fired which hit upon the chest of informant's father due to which he fell down on the ground. It is further alleged that accused persons accompanied the assailant Sushil Yadav. It is further alleged that petitioner is one among them who has acted as a



facilitator for commission of the occurrence. It is further alleged that informant's father was taken to hospital but he was declared dead.

5. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the first information report and he has been falsely implicated in this case. Petitioner bears criminal antecedent of one case i.e. Dhanarua P.S. Case No. 145 of 2021 and in the supplementary affidavit filed on behalf of the petitioner, it is stated that the said case has been lodged by one Rahul Kumar son of Vijay Yadav, who is cousin brother of the informant. He further submits that having similar allegation co-accused Upendra Paswan has already been granted anticipatory bail by this court vide Cr. Misc. No. 638 of 2024 and on the principle of parity petitioner deserves bail.

6. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

7. Considering the facts and circumstances of the case, co-accused having similar and identical allegation has already been granted anticipatory bail, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner, above named, in the



event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, Masaurhi, Patna in connection with Dhanarua P.S. Case No. 517 of 2022, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Alok Kumar Pandey, J)

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