

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23973 of 2024

Arising Out of PS. Case No.-41 Year-2024 Thana- ARA NAWADA District- Bhojpur

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MANISH KUMAR SON OF NAVAL KISHORE SHARMA RESIDENT OF
TILAK NAGAR KATIRA, P.S. - ARA NAWADA, DISTRICT - BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajit Kumar Singh, Advocate Ashwini Kumar , Advocate
For the Opposite Party/s	:	Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-05-2024 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 147, 148 , 149, 307, 427,
504 and 506 of the Indian Penal Code and section 27 of Arms
Act.

3. As per the prosecution case , this petitioner along
with other F.I.R, named co-accused persons and some unknown
persons, on the alleged date and time of occurrence started
abusing and making firing due to which one Aman Choudhary
sustained injury on his head and was taken to hospital by the
police where he was declared dead.

4. It is submitted on behalf of the petitioner that from



bare perusal of the F.I.R., it is apparent that there is no specific allegation of fire against this petitioner rather in the alleged occurrence there was cross firing in between two groups due to which the deceased sustained injury . It is not the case of the prosecution that fire made by this petitioner caused the death of the deceased. He further submits that on the same day brother of the deceased Ankit Singh also lodged an F.I.R in Ara Nawada PS Case No. 42 of 2024 in which brother of the deceased has not taken the name of the petitioner as an assailant or he was present at the place of occurrence . He lastly submits that at best petitioner was member of the mob. Even as per the F.I.R., there was cross firing between the two groups and it is not clear whose fire hit the deceased. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Ara in connection with Nawada P.S. case No. 41 of 2024 , subject to the conditions laid down under



section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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