

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28732 of 2024

Arising Out of PS. Case No.-214 Year-2023 Thana- NAYA RAM NAGAR District- Munger

Prithivi Raj Singh son of Late Shiv Narayan Singh Village- Warish Tola
Nauagadhi Ps- Naya Ram Nagar Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 15-05-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Naya Ramnagar P.S. Case No. 214 of 2023 for the offence registered under sections 341, 323, 307 and 34 of the Indian Penal Code and section 27 of the Arms Act lodged on 04.09.2023 by the informant, Nitu Kumari.

3. As per the prosecution story, the allegation is that on the order of this petitioner one Akash Kumar opened fire, causing injury to Chhotu Kumar. He was taken to Sadar Hospital, Munger and then shifted to Bhagalpur. Accordingly, the F.I.R.

4. Learned Counsel for the petitioner submits that he is an aged person, the main allegation is against Akash Kumar,



his role has been incorporated as an order giver, he is ready to diligently appear in trial.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that he is an order giver.

6. Taking into account the fact that the main allegation is on Akash Kumar, F.I.R. lodged, he will be facing the trial, this Court is inclined to extend him privilege of anticipatory bail.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of C.J.M., Munger in connection with Naya Ramnagar P.S. Case No. 214 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail



bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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