

Arising Out of PS. Case No.-51 Year-2024 Thana- GAYA MUFASIL District- Gaya

... .. Petitioner/s

## Versus

## The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Priya Ranjan

For the Opposite Party/s : Mr. Pushpa Sinha

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      25-06-2024                      1. Heard learned counsel for the petitioner and learned  
A.P.P. for the State along with learned counsel appearing on  
behalf of the informant Mr. Anurag Kumar.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 337, 307, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that from the side of the petitioner Md. Umair had instituted Muffasil P.S. Case No.43/2024 against the informant and his side. It is next submitted that this infuriated the informant to falsely implicate the petitioner in the instant case when allegation of firing is against Vishnu Pandey. It is next submitted that no doubt the informant received gunshot injury and firing



was also done and seven cartridges were recovered from the place of occurrence but then the petitioner is not alleged to have fired or caused firearm injury.

4. Learned counsel for the informant Mr. Anuraj Singh appearing on behalf of the informant submits that no doubt petitioner is alleged to have fired causing injury to the injured but then during the course of investigation it has transpired that petitioner was also present at the place of occurrence along with other accused persons. It is next submitted what is not in dispute rather stands admitted is that informant received gunshot injury and even if the petitioner did not fire but then his mere presence along with other accused emboldened Vishnu Pandey to commit the occurrence causing firearm injury.

5. The learned counsel appearing on behalf of the petitioner at this stage submits that no doubt in the F.I.R., several persons have been made accused with general and omnibus allegation, but then the police after investigation with respect to some of the accused persons has come to a considered conclusion that they were not present at the place of occurrence and investigation with respect to the petitioner is still going on.

6. Considering the submissions made by the learned



counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Muffasil P.S. Case No.51/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event if the charge sheet is submitted against the petitioner, in that event the present anticipatory bail order shall loose its effect and the learned trial court shall take all coercive steps to ensure that petitioner is behind bars.

**(Satyavrat Verma, J)**

amit/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

