

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39886 of 2024

Arising Out of PS. Case No.-61 Year-2024 Thana- WARISLIGANJ District- Nawada

1. Vicky Kumar @ Vicky Yadav S/o Suresh Yadav R/o vill - Balwapar, P.S - Warisaliganj, Distt. - Nawada
2. Shrawan Kumar @ Shrawan Yadav S/o Hari Yadav R/o vill - Khanapur, P.S. - Warisaliganj, Distt. - Nawada
3. Vikram Kumar @ Vikram Yadav S/o Binod Yadav R/o vill - Balwapar, P.S - Warisaliganj, Distt. - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-07-2024 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Warisaliganj P.S. Case No. 61 of 2024 for the offence under Sections 341, 504, 506, 307 and 34 of the I.P.C. and Section 27 of Arms Act lodged on 07.02.2024 by the informant, Sudama Devi.

3. As per the prosecution story, the informant alleged that while she was irrigating her field alongwith her husband, the accused came, abused and later, Shrawan Kumar (petitioner No. 2) opened fire which did not hit her son. As the villagers came, the accused escaped. Accordingly, the FIR.



4. Learned counsel for the petitioners submit that only due to enmity, names have cropped up, there is no injury on the side of the informant and only because of antecedent, the case.

5. Learned APP opposes the prayer stating that a perusal of para-3 would show that the petitioners have criminal antecedent.

6. Considering the aforesaid submissions as also the fact that though there is allegation against petitioner No. 2 (Shrawan Kumar) of opening fire, there is no injury on the informant's side. However, learned APP likely pointed out that these petitioners have criminal antecedent. In that background, the anticipatory bail application is allowed with conditions.

7. Let the petitioners be released on bail in the event of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Warisaliganj P.S. Case No. 61 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official



document to show their bona fide;

(ii) the petitioners 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 their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every month for next one year to mark his attendance;

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

(Rajiv Roy, J)

Adnan/-

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