

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47047 of 2024**

Arising Out of PS. Case No.-802 Year-2023 Thana- DHANARUA District- Patna

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1. Bittu Sao @ Bittu Kumar Sao S/o Ganesh Sao R/o vill - Hulashchak, P.S. - Dhanarua, Distt. - Patna
  2. Chintu Sao @ Chintu Kumar S/o Ganesh Sao R/o vill - Hulashchak, P.S. - Dhanarua, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P.

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

ORAL ORDER

- 2      12-08-2024                      1. Learned counsel for the petitioners seeks permission to withdraw the prayer for anticipatory bail with respect to petitioner no. 2, namely, Chintu Sao @ Chintu Kumar.
2. Permission is accorded.
3. Accordingly, the prayer for anticipatory bail with respect to petitioner no. 2 is dismissed as withdrawn.
4. Heard learned counsel for the petitioner no. 1 and learned A.P.P. for the State.
5. The petitioner no. 1 apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 307, 504 and 506/34 of the Indian Penal Code as well as Section 27 of the Arms Act.



6. Learned counsel for the petitioner no. 1 submits that petitioner no. 1 is a person with clean antecedent.

7. The informant alleges that on 23.12.2023 he had gone to the shop of egg and chaumin when the accused persons including the petitioner no. 1 came and started abusing and assaulting and on protest accused Action Kumar assaulted the informant with butt of the pistol causing injury on his head. When cousin of the informant came to his rescue, he was also assaulted by the accused persons and Manish Kumar assaulted with the butt of the pistol on shoulder of the cousin of the informant thereafter Action Kumar and Bittu Kumar made two firings from their country made pistol.

8. Learned counsel for the petitioner no. 1 submits that petitioner no. 1 has been falsely implicated in the present case. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest against the petitioner no. 1 that he along with Action Kumar fired in the air but then no one was injured. It is thus submitted that the said allegation has been alleged only to give serious colour to the case when there is no specific allegation against the petitioner no. 1 of assaulting the informant or his cousin. It is further submitted, at the cost to repetition, that petitioner no. 1 is a person with clean antecedent.



9. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner no. 1.

10. Considering the submissions made by the learned counsel for the petitioner no. 1, let the petitioner no. 1 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.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Dhanarua P.S. Case No. 802 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

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