

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47849 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- NTPC District- Patna

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1. Chandan Kumar @ Chandan Paswan S/O Late Shivdhari Paswan R/O Village- Raili, Police Station- NTPC, District- Patna
 2. Dinesh Yadav S/O Suresh Yadav R/O Village- Dargahi Tola, Police Station- Pandarak, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate
For the State : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 26-10-2024 Heard Ld. counsel for the petitioners and Ld. APP for
the State.

2. The petitioners seek bail, apprehending their arrest,
in connection with N.T.P.C. Police Station Case No. 04 of 2024
dated 03.01.2024, registered for the offences punishable under
Sections 341, 307 read with Section 34 of the Indian Penal Code
and Section 27 of the Arms Act.

3. As per allegation, the accused persons including the
petitioners have injured the victim in his leg by fire arm.

4. Ld. counsel for the petitioners submits that the
Petitioners are innocent and have falsely been implicated in this
case. He further submits that, as a matter of fact, the injured



person is a man of criminal nature and he is presently in jail. There are several criminal cases lodged against him and he has got injury in his leg by fire arm on account of cross firing among his associates and that is why he himself was hesitant to lodge the F.I.R. Hence, F.I.R. has been lodged by the Police Officer allegedly as per the statement from the injured. He further referred to paragraph-31 of the case diary wherein version of defence is corroborated by the statement of independent witness.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner No. 1 has one criminal antecedent and petitioner No.2 has no criminal antecedent.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners, above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, on their



furnishing bail bonds in the sum of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. A.C.J.M.-1st., Barh, Patna, in connection with N.T.P.C. P.S. Case No. 04 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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