

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47935 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- NOORSARAI District- Nalanda

Vikash Kumar Son of Upendra Prasad @ Upendra Kumar R/O Vill.-
Kokalchak, P.S.- Noorsarai, Dist.- Nalanda, Bihar Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner : Mr. Dhananjay Kumar, Advocate
For the State : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 19-08-2024 Heard learned counsel for the Petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Noorsarai P.S. Case No. 15 of 2024 dated 11.01.2024 registered for the offences punishable under Sections 341, 323, 504, 506 read with Section 34 of the Indian Penal Code and under Section 27 of the Arms Act.

3. Mr. Dhananjay Kumar, learned counsel appearing for the petitioner submits that both the parties are neighbours and in between them there was some dispute with regard to the construction over a disputed land and in fact, no firing was done by the petitioner and it was the prosecution party who fired at the petitioner and his family members regarding which Noorsarai P.S. Case No. 14 of 2024 has been registered and the FIR of the instant matter was lodged after the registration of the FIR of the petitioner. Further submission is that in the FIR, there is no



allegation of firing against the petitioner and the informant alleged that the firing was done by the co-accused Shashikant Kumar @ Shrikant Kumar but admittedly, no one sustained firearm injury in the said firing, however, a good relation has established in between both the parties. It is further submitted that the petitioner has got no criminal antecedent.

4. Mr. Md. Matloob Rab, learned APP appearing for the State has opposed the prayer for bail of the petitioner.

5. Considering the facts and circumstances of this case as well as the above submissions coupled with the nature of allegation appearing against this petitioner and his fair and clean antecedent, this Court is inclined to accept the anticipatory bail prayer of the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Noorsarai P.S. Case No. 15 of 2024 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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