

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55083 of 2024

Arising Out of PS. Case No.-370 Year-2023 Thana- KHUSRUPUR District- Patna

1. Rajnandan Kumar @ Raj Mohan Kumar Son Of Sanjay Yadav @ Sanjay Singh Village- Hrdasbigha, Ps- Khusrupur, Dist- Patna
2. Sanjay Yadav @ Sanjay Singh Son Of Rambriksh Yadav @ Bujha @ Ram Bujhawan Singh @ Bujhavan Singh Village- Hardasbigha, Ps- Khusrupur, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-08-2024 Heard Mr. Manoj Kumar Pandey, learned counsel

for the petitioner and Mr. Mohammad Sufyan, learned APP

for the State.

2. The petitioners are apprehending their arrest in connection with Khusrupur P.S. Case No. 370 of 2023 for the offence under Sections 147, 148, 149, 341, 323, 307, 354, 379, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act lodged on 29.08.2023 by the informant, Paro Devi.

3. As per the prosecution story, it is the case of the informant that earlier the accused persons used to tease her granddaughter, and when this was informed to the family



members, they assembled on 28.08.2023 and after abusing, one Parwi Yadav opened fire which hit the head of the informant's son causing injury. The allegations of outraging the modesty and taking away Rs.10,000/- are also against the accused persons. The son was rushed to Nalanda Medical college and Hospital, Patna where he is/was undergoing treatment. This followed the FIR.

4. Learned counsel for the petitioners submit that to implicate all the accused persons, names have been given. The fact remains that one Parwi Yadav opened fire which hit the head of the son of the informant who was rushed to the Nalanda Medical College and Hospital, Patna and others have been dragged.

5. Learned APP opposes the prayer for bail and submits that all of them have been named in the FIR. Though allegation of opening fire is on Parwi Yadav, against them of outraging the modesty as also taking away Rs.10,000/- is there.

6. Considering the allegation that has come against the two petitioners, mainly it is against Parwi Yadav of opening fire which hit the head of the informant's son,



against them there is allegation of criminal assembly, the two accused persons do not have criminal antecedent, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail in the event of 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 Additional District Judge-III, Patna City in connection with Khusrupur P.S. Case No. 370 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner 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 his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the



concerned police station every fortnight for next six months to mark his attendance;

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

(Rajiv Roy, J)

Ankit /Vinayak/-

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