

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63382 of 2024

Arising Out of PS. Case No.-161 Year-2024 Thana- DEEPNAGAR District- Nalanda

Jite Paswan @ Jitendra Paswan Son of Ashok Paswan Resident of Village-
Sipah, P.S.- Deepnagar, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 66435 of 2024

Arising Out of PS. Case No.-161 Year-2024 Thana- DEEPNAGAR District- Nalanda

1. Ranjeet Paswan Son of Tilakdhari Paswan @ Amirak Yadav Resident of
Village - Sipah, P.S.- Deepnagar, District - Nalanda.
2. Vikram Kumar Son of Anandi Paswan Resident of Village - Sipah, P.S.-
Deepnagar, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 63382 of 2024)

For the Petitioner/s : Mr.Binit Kumar, Adv.

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

(In CRIMINAL MISCELLANEOUS No. 66435 of 2024)

For the Petitioner/s : Mr.Binit Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 05-10-2024 As both the bail petitions have arisen out of the same

P.S. case, hence the prayer for bail made by the petitioners is

being disposed of by a common order.

2. Heard Mr. Binit Kumar, learned counsel for the

petitioners and Mr. S. M. Rahman and Mr. Ashok Kumar Singh,



learned APPs for the State.

3. The petitioners apprehend their arrest in connection with Deepnagar P.S. Case No. 161/ 2024 dated 15.05.2024 registered for the offence(s) punishable under Section(s) 341, 323, 504, 307 of the Indian Penal Code and section 27 of Arms Act.

4. The main submissions advanced by learned counsel for the petitioners are that there is no specific allegation against the petitioner Jite Paswan @ Jitendra Paswan and he is simply alleged to have called upon the informant from the house of one Amardeep Paswan where he had gone to attend a worship programme and except this as well as his criminal antecedent, there is no material against him and so far as the other petitioners are concerned, against them there is also no specific allegation and they are alleged to be present at the place of occurrence along with the main accused, Akash Kumar who allegedly caused firearm injuries to the informant. It is further submitted that petitioner, Ranjeet Paswan has criminal antecedent of one case which was lodged under section 30(a) of Bihar Prohibition & Excise Act in which he is on bail and petitioner Vikram Kumar has fair and clean antecedent.



5. Learned APPs appearing for the State have opposed the bail prayer of the petitioners.

6. Heard both sides and perused the F.I.R. The main allegation of causing firearm injuries is against co-accused, Akash Kumar and as per the allegation, the petitioner, Ranjeet Paswan and co-accused, Akash Kumar firstly called upon the informant and thereafter other accused also joined them and in that course co-accused, Akash Kumar tried to drag the informant and thereafter all the accused persons including the said co-accused, Akash Kumar started assaulting the informant and in the meantime, co-accused, Akash Kumar fired at the informant when he attempted to flee away from the clutches of the accused thus causing firearm injury to the informant. Accordingly, the main allegation of causing firearm injuries to the informant is against co-accused, Akash Kumar. Considering this aspect as well as fair and clean antecedent of petitioner, Vikram Kumar as well as his role, this court is inclined to accept his anticipatory bail prayer. Accordingly, let the petitioner, Vikram Kumar, 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 Deepnagar P.S. Case No. 161/ 2024 on furnishing bail bond of Rs. 20,000/-(Twenty



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.

7. So far as the prayer for bail of petitioners, Jite Paswan @ Jitendra Paswan and Ranjeet Paswan is concerned, petitioner Ranjeet Paswan was specifically involved in calling upon the victim and further he has criminal antecedent of one case and petitioner Jite Paswan @ Jitendra Paswan has criminal antecedent of several cases, so, considering these facts, this court is not inclined to grant the relief of anticipatory bail to them. Accordingly, their prayer stands rejected.

(Shailendra Singh, J)

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