

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.638 of 2024

Arising Out of PS. Case No.-517 Year-2022 Thana- DHANARUA District- Patna

UPENDRA PASWAN Son of Sagina Paswan Resident of Village - Jyauddin
Chak, P.S.- Dhanarua, District - Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Satish Chandra, Adv.
For the State	:	Mr.Navin Kumar Pandey, APP
For the Informant		Mr.Jagjit Roshan, Adv.
		Mr.Anjani Kumar,Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 15-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Dhanarua P.S. Case No. 517 of 2022 registered for the offences punishable under Section 302/34 of the Indian Penal Code and 27 of the Arms Act.

3. As per prosecution case, co-accused Sushil Yadav fired which hit upon the chest of informant's father due to which he fell down on the ground. It is further alleged that accused persons accompanied the assailant Sushil Yadav. It is further alleged that petitioner is one among them who is acted as a facilitator for commission of the occurrence. It is further alleged that informant's father was taken to hospital but he was declared



dead by the doctor.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He further submits that there is no specific allegation against the petitioner rather specific allegation of firing is against co-accused Sushil Yadav. Petitioner bears no criminal antecedent. He further submits that having similar allegation co-accused Vinod Paswan and Usha Devi have already been granted anticipatory bail by a co-ordinate Bench of this court vide Cr. Misc. No. 78769 of 2023 and on the principle of parity petitioner deserves bail.

5. Learned counsel for the informant and learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, having similar allegation co-accused has already been granted anticipatory bail, on the principle of parity, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Masaurhi, District-Patna in connection with Dhanarua P.S. Case No. 517 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

shahzad/-

U		T	
---	--	---	--

