

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.86520 of 2023**

Arising Out of PS. Case No.-532 Year-2023 Thana- NAUBATPUR District- Patna

Monu Kumar @Arbind Kumar, Son Of Jay Prakash Rai @ Shivpuhjan Rai,  
Resident Of Village- Rasmcharan Chatni, Ps- Naubatpur, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Prashant Kashyap, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

3      21-03-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Naubatpur P.S. Case No. 532 of 2023, registered on 26.07.2023 for the offences under Sections 323, 341, 504 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, petitioner fired upon the informant with pistol but the shot missed the informant. Co-accused father of the petitioner abused and threatened the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. All the offences are bailable in nature except offence under Section 27 of the Arms Act but the same is not applicable in the facts and circumstances of the case. The present case has been lodged by the informant for personal vengeance and no reason has been given for the alleged occurrence. Empty cartridge has been supplied and handed over by the informant to the police and it shows the doubtful nature of the case. The informant is having previous enmity with the petitioner and is habitual prosecutor for such kind of allegations in collusion with the local police. Co-accused father of the informant has already been enlarged on bail by the learned court below. Petitioner is having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the completely general and vague nature of allegation against the petitioner without any substantive material and also considering the clean antecedent of the petitioner coupled with possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on



furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned ACJM Vith, Danapur, Patna/court concerned in connection with Naubatpur P.S. Case No. 532 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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