

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6059 of 2024

Arising Out of PS. Case No.-301 Year-2023 Thana- DHANARUA District- Patna

1. Gyanranjan Agrawal @ Fantu S/o Ramji Singh, R/o Village-Deokali, P.S. Dhanarua, District-Patna.
2. Sonu Kumar, S/o Shrewan Kumar, R/o Village-Deokali, P.S. Dhanarua, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Majid Mahboob Khan, Advocate
For the Opposite Party/s	:	Mr. Bharat Bhushan, APP
For the Informant	:	Mr. Ramji Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 09-04-2024 It has been informed by learned counsel for the petitioner that during the pendency of the petition, petitioner no1, Gyanranjan Agrawal @ Fantu has been arrested. Accordingly, the petition against him is dismissed as infructuous.

2. Now, the case relates to only petitioner no. 2, Sonu Kuwar.

3. Heard learned counsel for the petitioner as also the State and the informant.

4. The petitioner is apprehending his arrest in connection with Dhanarua P.S. Case No. 301 of 2023 for the offence under sections 341, 323, 307, 504, 506 and 34 of the



I.P.C. lodged on 04.06.2023 by the informant, Mukesh Kumar.

5. As per the prosecution story, the informant alleged that while he was sitting on the door, the accused persons including the petitioner no. 2, Sonu Kuwar came and at the instance of Gyanranjan Agrawal, it is alleged that Sonu Kumar opened fire. Subsequently, Gyanranjan Agrawal and Rajeev Ranjan gave 'Garasa' blow on the head of Shushant Verma who became unconscious while it hit the hand of the Rakesh Kumar, he was also injured. Accordingly, the FIR.

6. Learned counsel for the petitioner submits that so far as Sonu Kuwar is concerned, though an exaggerated allegation of using fire-arm is made, no such injury has been found on the persons of the said Sushant Verma. It is his further submission that there is case and counter case, the case of the petitioner is earlier one and he do not have criminal antecedent.

7. Learned counsel for the informant opposes the prayer stating that there is allegation of opening fire-arm by the petitioner.

8. Taking into account the aforesaid facts as also that though there is allegation of fire-arm is against the accused, petitioner no. 2, Sonu Kunwar, no such injury has been found on the person, Sushant Verma, as the earlier co-ordinate Bench had



called for case diary which has come and the same has been perused by Mr. Bharat Bhushan, learned APP. In that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

9. Let the petitioner no. 2 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 Judicial Magistrate, Dhanarua, Patna, in connection with Dhanarua P.S. Case No. 301 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner no. 2 who shall provide official document to show his/her bona fide;

(ii) the petitioner no. 2 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 no. 2 shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner no. 2 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 no. 2 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)

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