

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5102 of 2025

Arising Out of PS. Case No.-522 Year-2024 Thana- LAHERIMUHALLA District- Nalanda

Chandan Kumar Son of Laxmi Chand Prasad Resident of Village- Bari
Pahari, P.S.- Laheri, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 09-05-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Laheri P.S. Case No. 522 of 2024 for the offence registered under sections 190, 191(2), 126(2), 115(2), 109(1), 351(2), 352, 303(2), 117(2) of the BNS, 2023 and Section 27 of the Arms Act lodged on 20.10.2024 by the informant Ashok Kumar Kushwaha.

3. As per the prosecution story, the informant alleged that in the morning when he was sitting with his family members, the accused persons armed variously came and after abuse, assaulted them causing injuries. Allegation against this petitioner is of opening fire as also theft of jewelry. This led to the FIR.



4. Learned Counsel for the petitioner submits that though allegation of assault is against other family members, so far as he is concerned, there is allegation of opening of fire but neither there is any injury nor the Police during investigation found any used cartridge at the ground zero. Further, as they are family members, to show his bonafide, he wants to contribute Rs. 10,000/- towards treatment of the daughter of the informant, Anu Kumari through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that allegation of opening fire is against him.

6. Taking into account the aforesaid facts as also that though allegation is there, neither there is any injury nor used cartridge was present at the spot, this petitioner has no criminal antecedent, in that background, this Court is inclined to grant him the anticipatory bail with conditions subject to payment of Rs. 10,000/- towards treatment of the daughter of the informant, Anu Kumari as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of



India to be submitted to the Trial Court.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda, Bihar Sharif in connection with Laheri P.S. Case No. 522 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *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 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 the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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