

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14169 of 2025

Arising Out of PS. Case No.-295 Year-2024 Thana- FATUA District- Patna

Harshit Kumar S/o- Amirak Paswan Village- Kharfar P.S- Fatuha District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate
For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-05-2025 Heard Mr. Vishwa Ranjan Choudhary, learned counsel
for the petitioner and Mr. Pawan Kumar Chaurasia, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection
with Fatuha P.S. Case No. 295 of 2024, F.I.R. dated 16.05.2024 for
the offences punishable under Sections 341, 323, 307, 504, 506/34
of the Indian Penal Code and 27 of the Arms Act.

3. As per the First Information Report, the informant
alleged that the petitioner along with other accused persons
assaulted him and his uncle by means of *lathi danda* and butt of
pistol and one of the accused opened fire upon them but they
escaped.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been implicated
in the present case. It appears from the FIR due to admitted land



dispute the present occurrence has taken place. Although the petitioner is named in the FIR but there is no specific allegation of assault or overt act against the petitioner rather specific allegation of firing is attributed against co-accused, namely, Santosh Kumar @ Santosh Paswan and similarly situated co-accused persons, namely, Bihari Kumar @ Bihari Paswan, Santosh Kumar @ Santosh Paswan and Raj Kumar have been granted the privilege of anticipatory bail by co-ordinate Bench of this Court in Cr.Misc. No.69584 of 2024 vide order dated 22.03.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, there is no specific allegation against the petitioner and the petitioner has clean antecedent and similarly situated co-accused persons have been granted the privilege of anticipatory bail, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Patna City in connection with Fatuha P.S. Case No. 295 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure / Section 482(2) of the Bhartiya Nagarik
Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Suruchi/-

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

