

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34782 of 2025

Arising Out of PS. Case No.-317 Year-2021 Thana- PARBATTa District- Khagaria

Raushan Kumar @ Golu Son of Ranjeet Chaudhary Resident of Village -
Kanhaiyachak, P.S.- Parbatta, District - Khagariya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha

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

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Parbatta P.S. Case No. 317 of 2021 registered for the offences punishable under Sections 341, 323, 307/34 of the IPC and Section 27 of the Arms Act.

3. As per prosecution case, petitioner is said to have fired upon the informant which hit on the upper part of informant's left shoulder.

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. Petitioner bears no criminal antecedent. Learned counsel further submits that alleged occurrence took place on 21.07.2021 and the FIR was lodged on 28.07.2021 whereas fardbeyan was recorded on 23.07.2021 at Kalpana Hospital, Begusarai and delay in lodging the FIR has not been explained. He further submits that for the alleged occurrence, no fardbeyan was recorded either on 21.07.2021 or on 22.07.2021 at Parbatta Hospital whereas police station is situated at the distance of only 1 km. Learned counsel further submits that reason behind the false implication of the petitioner is that informant had developed illicit relation with niece of co-accused Praween Kumar Chaudhary and same was objected by said co-accused Praween Kumar Chaudhary. He further submits that wife of Praween Kumar Chaudhary has lodged Parbatta P.S. Case No. 39 of 2021 against the informant. Learned counsel further submits that during course of investigation, it has come to fore that proceeding under Section 107 of the Cr.P.C. has been initiated between both the parties and in the present case, after due investigation, Investigating Officer submitted final form against the petitioner though charge sheet has been submitted against Ranjeet Chaudhary and Praween Chaudhary but



differing with the final form learned ACJM-1 took cognizance against the petitioner on 30.05.2022 and non-bailable warrant has been issued in January 2025 against the petitioner, as such, petitioner is apprehending his arrest so he filed anticipatory bail petition in the present case. Apart from that, petitioner has no criminal antecedent. There is case and counter case between the parties and petitioner has been falsely implicated in this case just to harass him.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, final form has already been submitted against the petitioner, keeping in view clean antecedent of the petitioner, 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. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Khagariya in connection with Parbatta P.S. Case No. 317 of 2021, subject to the conditions as laid



down under Section 438 (2) of Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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