

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79538 of 2024

Arising Out of PS. Case No.-107 Year-2024 Thana- TIKAPATTI District- Purnia

Pinku Kumar Singh @ Pankaj Kumar Mandal Son of Late Khokha Singh @
Late Khokha Mandal Resident of Village - Sapha, Post Office - Naya
Nandgola, Ward No. 8, P.S. - Tikapatti, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 21-04-2025 Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 307,
504 of the I.P.C., and under Section 27 of the Arms Act.

3. The allegation in the F.I.R., is that the petitioner
came to the house of the informant on 27.06.2024 at about
11:00 P.M., and started firing gunshots. It has also been
alleged that due to such firing, a bullet hit near the CCTV
camera installed in the Mukhiya's house, and the paint of
the wall was torn off. It is stated that by the time the police
arrived at the place of occurrence, the accused had escaped

from the place of occurrence.

4. Learned counsel for the petitioner submits that, besides the informant and his family members, there is no other witness to the instant case that the petitioner fired gunshots by coming to the house of the informant. It has further been submitted that it does not stand to reason that if a person would enter the house and resort to continuous firing, no injury would be caused to anyone in the family. Further, it has been submitted that the seizure list of the case would show that five pieces of empty cartridges have been produced by the informant himself and the witness to the said seizure list, are both family members of the informant.

5. Learned APP for the State opposes the prayer for anticipatory bail application on the ground that the petitioner is accused in two other cases. In response to which it has been submitted by the learned counsel for the petitioner that out of the two cases, the petitioner has already been acquitted in one case and is on police bail in the second case.

6. In view of the above mentioned facts and circumstances, taking into consideration that neither any

motive of the occurrence has been alleged nor any injury has been suffered by any of the family members of the house, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 learned J.M. 1st Class, Purnea in connection with Tikapatti P.S. Case No. 107 of 2024 subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023, subject to the further condition that:-

(i) the petitioner shall co-operate in the investigation/trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioner before releasing him on bail and the verification process shall be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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