



**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.7729 of 2016**

Arising Out of PS.Case No. -78 Year- 2015 Thana -DEO District- AURANGABAD  
=====

1. Shyam Bihari Singh, Son of Satrugan Singh, Resident of  
Village - Karamdih, P.S. - Deo, District - Aurangabad  
(Bihar).

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Kamendra Pd. Singh, Adv.

For the Opposite Party/s : Mr. Md. Fahimuddin (APP)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI  
SHARAN SINGH**

ORAL ORDER

3     25-04-2016                      Heard learned counsel for the petitioner and  
learned Additional Public Prosecutor for the State.

                    This application, for grant of anticipatory bail,  
arises out of Deo P.S. Case No.78 of 2015, disclosing  
offences under Sections 147, 148, 120(B) and 124(A) of  
the Indian Penal Code, Section 25(1-b)A, 26 and 35 of the  
Arms Act, Section 17 of C.L.A. Act and Section 4/5 of the  
Explosive Substance Act.

                    The petitioner has no criminal antecedent, as  
stated in paragraph-3 of the application. His name has

been mentioned in the First Information Report, on the basis of the statement made by one Chandan Kumar before the police from whose house, certain arms and ammunitions were recovered. According to the statement of said Chandan Kumar, the petitioner and few other persons had kept the arms and ammunitions.

Learned counsel for the petitioner has submitted that the petitioner has been dragged in this case because of animosity between the family of said Chandan Kumar and that of the petitioner.

Learned Additional Public Prosecutor, appearing on behalf of the State, has not been able to point out any material, which has been collected in course of the investigation from the case diary, over and above the accusation as made by the said Chandan Kumar.

Considering the submission as above, this application is allowed. Let the petitioner, abovenamed, in the event of his arrest or surrender before the court below within six weeks, be released on 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 Chief Judicial Magistrate, Aurangabad**, in connection with **Deo P.S. Case No.78 of 2015**, subject to the condition laid down under Section 438 (2) of the

Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J.)**

Praveen-II/-

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