

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.56436 of 2018**

Arising Out of PS.Case No. -84 Year- 2018 Thana -AKHODHIGOLA District- SASARAM  
(ROHTAS)

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Sheo Bachan Ram, S/o Late Mareya Ram, R/o Vill.- Mahuari, P.S.-  
Akorhigola, District- Rohtas.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Bhaskar Shankar, Advocate.

For the Opposite Party : Mr. Mithilesh Kumar Khare, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      18-09-2018                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for  
the offence registered under Sections 302 of the IPC and 27 of the  
Arms Act.

The prosecution story, in brief, is that on 19.04.2018  
at 5.30 P.M. the husband of the informant was going to attend the  
*Tilak Ceremony* by his Motorcycle and at 6.00 P.M. she received  
telephonic information that her husband sustained injury by fire  
arms. She alongwith her family members went there and saw that  
her husband had fallen down in unconscious condition and blood  
was oozing from the neck due to which cloth was red from blood



then she alongwith other family brought him to hospital at Dehri. In the meantime, police officer of Dehri police station came and asked the name of person who shoot him then deceased wrote the name of petitioner on a paper and she gave to the police. It is also alleged that her husband gave a *sanha* before Akodhigola police station prior to occurrence but name had not been disclosed by her husband.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The name of the petitioner has inspired in the present case as a chit of paper is said to have been furnished by the deceased while he was being treated in the hospital. There is no verification whether the chit of paper was in the handwriting of the deceased or not. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the implication of the petitioner in the present case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from



today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Dehri-on-Sone, Rohtas, in connection with Akorhigola P.S. Case No. 84 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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**(Sudhir Singh, J)**

