

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55977 of 2019

Arising Out of PS. Case No.-13 Year-2017 Thana- SAMHO District- Begusarai

Rajesh Singh @ Bantu Singh, Gender- Male, aged about 49 years, S/o Sri Bhaso Singh @ Bhaskaranand Singh, R/o village- Bijuliya, P.S.- Samho, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Adv. Mr. Sunil Kumar, Adv.
For the Opposite Party/s	:	Mr. Dashrath Mehta, APP.
For the Informant	:	Mr. Uma Shankar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-09-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with Samho P.S. Case No. 13 of 2017 registered under section 302 and 34 of the I.P.C and under Section 27 of Arms Act.

The allegation against the petitioner, as per the first information report, is that the petitioner was an order giver and on the behest of the petitioner, Niranjana Singh fired upon the deceased, resulting in his death.

Mr. Y. C. Verma, learned senior counsel appearing for the petitioner submits that the petitioner is innocent inasmuch as police after investigation submitted final form in the matter and



the petitioner was not sent up for trial and the learned Magistrate accepted the final form submitted by the police. Learned senior counsel further submits that at that stage, no protest was filed on behalf of the informant and subsequently during course of trial, learned trial court has summoned the petitioner under Section 319 of Cr.P.C. to face trial.

On the other hand, Mr. Uma Shankar, learned counsel appearing for the informant vehemently opposed the prayer for anticipatory bail and submits that the petitioner, who was one of the assailants in the present offence which is serious in nature, was evading arrest and does not deserve the privileges of anticipatory bail.

After having heard learned counsel for the petitioner and learned counsel appearing for the informant and taking into consideration the fact that the police after investigation submitted final form not sending the petitioner for trial and further the same was accepted by the learned Magistrate, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on anticipatory bail by the Court below upon furnishing bail bond



of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, F.T.C.-I, Begusarai, in connection with Samho P.S. Case No.13 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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