

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 22732 of 2020

Arising Out of PS. Case No.-207 Year-2019 Thana- DAWATH District- Rohtas

ANKIT KUMAR SIGH @ BITU SINGH Son of Bipin Bihari Singh Resident
of Village-Chhitani, Police Station-Dawath, District-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr Anil Kumar Singh, Advocate
For the State	:	Ms Gulnar Begam, APP
For the Informant	:	Mr Nilesh Sinha, Advocate

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 29-09-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner, learned APP for the State and the learned counsel for the informant.

Petitioner apprehends his arrest in connection with Dawath Police Station (for brevity, *PS*) Case No 207 of 2019 instituted for the offence punishable under Section (s) 147, 148, 149, 307, 302, 504 of Indian Penal Code (for brevity, *IPC*) and Section 27 of Arms Act.



The First Information Report (for brevity, *FIR*) discloses specific allegation of causing the fatal firearm injury upon accused Shatrughan Singh. The petitioner and others have allegedly resorted to indiscriminate firing as members of the unlawful assembly.

Learned counsel for the petitioner submits that perusal of the FIR would show that Shatrughan Singh and Shailendra Dubey are the main accused persons. Firing has been attributed to Shatrughan Singh leading to the death of victim. The petitioner's implication is false. Petitioner is a student and merely because his father was a supporter of one of the parties and the dispute arises out of Primary Agricultural Credit Society Election, petitioner has been implicated in this case. Other than allegation of firing from the south, there is no allegation that the petitioner has inflicted any injury upon any person. Petitioner bears no criminal antecedent.

Learned APP as well as the learned counsel for the informant have opposed the prayer for anticipatory bail. It is submitted that witnesses have supported the allegation in course of investigation and the bullet marks have also been found on the south while the allegation against the petitioner was firing from the south.



In the facts and circumstances of the case, prayer of petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the Court below, within four (04) weeks from today, he shall be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, Bikramganj, District - Rohtas in connection with Dawath PS Case No 207 of 2019 subject to the conditions as laid down under Section 438 (2) of Criminal Procedure Code and also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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