

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86314 of 2019

Arising Out of PS. Case No.-703 Year-2019 Thana- PHULWARISHARIF District- Patna

SUNKESHWAR SINGH @ SUN KESHWAR KUMAR, Son of Jagrup
Singh, Resident of Village - Palanga, P.S.- Parsa Bazar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.K.M.Joseph, Advocate

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-02-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Phulwari Sheriff Police Station Case No. 703 of 2019, disclosing offences under Sections 307/34/120B of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner as per the First Information Report is that the informant parked his car in the garage and moved towards the house in sasuraal then the petitioner arrived there from the back of a departmental shop on a motorcycle and one Sonu Kumar was sitting on the motorcycle as pillion rider. It has been further alleged that the said Sonu Kumar fired upon the informant from behind which hit the neck of the informant from right side and bullet came out



from the left ear.

Mr. K.M Joseph, learned Counsel appearing on behalf of the petitioner submits that the petitioner has falsely been implicated in this case with ulterior motive. Learned counsel submits that there is a family dispute between the parties inasmuch as the informant is son-in-law of one Smt. Shyam Kuer Singh widow of late Nashiban Singh and the petitioner is also one of the sons-in-law of Smt. Shyam Kuer Singh and is the husband of Sabita Devi. Learned counsel submits that the informant wants to grab the property of his mother-in-law to ouster of the petitioner and other claimant inasmuch as mother-in-law of the informant is having five daughters and the petitioner is one of the sons-in-law of Smt. Shyam Kuer Singh.

Learned Counsel further submits that from the perusal of the FIR it is evident that there is no allegation of firing upon this petitioner.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that there appears to be a family dispute between informant and the petitioner and the petitioner is one of the sons-in-law of Smt. Shyan Kuer Singh and is the brother-in-law (sadu) of the informant, I am inclined to grant the petitioner privilege of



anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, Sunkeshwar Singh @ Sun Keshwar Kumar, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Patna, in connection with Phulwari Sheriff Police Station Case No. 703 of 2019, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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