

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12419 of 2021

Arising Out of PS. Case No.-10 Year-2020 Thana- HARNAUT District- Nalanda

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MUKESH SINGH S/o Sri Laxmi Singh R/o village- Pandarak, P.S.-
Pandarak, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Mouar, Adv
Mr. Raj Krishna Jha, Adv.

For the Opposite Party/s : Mr.A.G.

For the informant : Mr. Sanjeev Kumar, Adv & Ranjeet Kr. Adv.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Supplementary affidavit is filed on behalf of the
petitioner. The same be kept on record.

In the light of statement made in the supplementary
affidavit, counsel for the petitioner is permitted to make
necessary correction in paragraph-3 of the main application in
course of the day.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 302, 120B/34 of the Indian Penal



Code and 27 of the Arms Act.

Allegedly, while the informant's son was basking his body by fire in the cement godown, the accused persons came there and made indiscriminate firing upon him, as a result of which, the informant's son sustained fire-arms injury. He was taken to PHC, Harnaut for treatment and thereafter, for better treatment he was being taken to Patna but in the way, he died.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. The petitioner is not named in the FIR. His name transpired in this case on the basis of confessional statement of co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, 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 bond of Rs. 10,000/- (ten thousand) with two sureties of the



like amount each to the satisfaction of I/C learned Chief
Judicial Magistrate/concerned court, Nalanda, Bihar Sharif in
connection with Harnaut P.S. Case No. 10 of 2020 subject to
the conditions as laid down under Section 438(2) of the Code of
Criminal Procedure.

(Sudhir Singh, J)

A.K.V.//-

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