

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9477 of 2022**

Arising Out of PS. Case No.-247 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

SHANU KUMAR @ SHANU SHIVAM SON OF SHIVPUJAN THAKUR
R/O VILLAGE- HARICHAK, P.S.- BHAGWANPUR, DISTRICT-
BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ansul, Advocate
	:	Mr.Anuj Kumar, Advocate
For the Opposite Party/s	:	Mr.Harendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 05-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 324, 307, 498(A), 120(B) and 34 of the Indian Penal Code read with Section 27 of the Arms Act.

The informant alleges that he got a call from his brother's phone wherein a doctor informed him that his brother has been shot and was being treated, it is next alleged that informant's daughter was married to Saurav Kumar in the year 2017 and Saurav Kumar used to assault his daughter as he was a person with bad character and when informant protested, he too



was misbehaved and assaulted. It is further alleged that on Avdhesh Kushwaha's orders, four accused, including the petitioner, assaulted the informant and when the informant's brother intervened, he was also assaulted by the accused persons and was threatened that he would be killed thus alleges that his brother might have been shot by the accused persons, including the petitioner.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that petitioner is brother of Saurav who is husband of informant's daughter and the dispute between the daughter of the informant and Saurav has led to false implication of the petitioner. Learned counsel submits that if there was a dispute between Saurav and the daughter of the informant then definitely a case ought to have been instituted but it was only when the brother of the informant got shot then by way of afterthought, the petitioner came to be implicated based on suspicion when admittedly informant is not an eyewitness to the occurrence. It is next submitted that whatever dispute was, the dispute was between his daughter and Saurav, it is next submitted that the injured and the petitioner were known to each other and as such it absolutely does not



stand to reason that as to why the petitioner would have left the injured in an injured condition thus creating evidence against himself.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Begusarai Muffasil P.S. Case No. 247 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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