

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14986 of 2022**

Arising Out of PS. Case No.-60 Year-2021 Thana- BHADAUR District- Patna

ANANT KUMAR SINGH Son of Late Chandradeep Singh Resident of  
Village- Nadawan, P.S.- Barh, District- Patna, At present residing at 1 Mal  
Road, P.S.- Sachivalaya, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 15566 of 2022**

Arising Out of PS. Case No.-60 Year-2021 Thana- BHADAUR District- Patna

RAVI VIDYARTHI @ RAVISHANKAR VIDYARTHI Son of Late  
Umashankar Vidyarthi Resident of village - Chondi, P.S.- Barh, District -  
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 29603 of 2022**

Arising Out of PS. Case No.-60 Year-2021 Thana- BHADAUR District- Patna



PRANAV KUMAR @ DHIRAJ KUMAR S/o Sri Anil Prasad 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 :**

(In CRIMINAL MISCELLANEOUS No. 14986 of 2022)

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Kumar Veerendra Narayan

(In CRIMINAL MISCELLANEOUS No. 15566 of 2022)

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Surendra Prasad Singh

(In CRIMINAL MISCELLANEOUS No. 29603 of 2022)

For the Petitioner/s : Mr. Tej Narayan Singh

For the Opposite Party/s : Mr. Madhura Nand Jha

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**

ORAL ORDER

5      12-09-2022                      Heard learned counsel for the petitioners and  
  
learned APP for the State.

The petitioners seek bail in connection with  
  
Bhadaur P.S. Case No. 60 of 2021, registered for the  
  
offences punishable under Sections 147, 148, 149, 448,  
  
324, 326, 307, 120(B) and 504 of the Indian Penal Code  
  
and Section 27 of the Arms Act.



As per the prosecution case, emerging from the F.I.R., the injured informant has alleged that at 10:15 A.M. on 07.08.2021, when he was sitting in the house of his uncle Ram Jivan Singh, the accused-petitioners came there with modern arms in their hand. It is further alleged that accused Chotan Singh started abusing him and ordered his associates to kill him and thereafter the accused Munna Singh, Bittu Siingh, Bantu Singh, Rajvir Singh, Karamvir Singh, Bullu Singh, Kundan Singh, Ranjan Singh, Sanjay Singh and Amit Kumar started firing at him with modern arms, which they were carrying. It is further alleged that this incidence had occurred at the instance of Mokama M.L.A., Anant Kumar Singh. After injury, the victim/informant fell down on the ground and feigned to be dead and thereafter accused Chotan Singh stated that he has died and ordered all of them to flee away. Thereafter, all the accused started fleeing away to the west, abusing the informant. After hearing the noise of firing, the neighbours, namely, Rajiv Singh, Ranjan Singh, Ranjan Singh, Nageena Sharma, Shankar Singh and Roushan Kumar assembled there and



took the injured victim to private clinic of Dr. Pankaj Kumar at Barh by private vehicle. The Doctor did primary treatment and thereafter referred him to higher hospital. Hence, the informant/victim was taken to Sri Raj Trust Hospital Mithapur, Patna where he is undergoing treatment.

Learned counsel for the accused-petitioner, Anant Kumar Singh submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that at the time of the alleged occurrence, the petitioner was in jail and it is totally impossible for him to participate in the offence either by direct participation or even conspiracy, because use of any mobile in jail is prohibited. He further submits that the petitioner has been implicated by the informant only on account of prior enmity to harass the accused-petitioner and even in the case-diary there is no material which may connect the petitioner with the alleged offence and only material in the case-diary is that there is a conspiracy hatched by Anant Kumar Singh along with other co-accused in whatsapp chat, but even after completion of the investigation, mobile numbers allegedly used by accused



persons, including the petitioner, are not mentioned, let alone the content of chat. He further submits that investigation is complete and the petitioner has been languishing in jail in this case since 08.10.2021.

Learned counsel for the petitioner namely, Ravi Vidyarthi @ Ravishankar Vidyarthi submits that petitioner is innocent and has falsely been implicated in this case on account of political rivalry. He further submits he is not named in the F.I.R. and even after investigation, the only material collected by the Police is alleged confessional statement of accused Pranav Kumar, in which the name of the petitioner has transpired. He further submits that statement of accomplice has no legal sanctity unless corroborated by independent evidence. He also submits that there is no other material to connect this petitioner with the alleged offence and the petitioner has been languishing in jail in this case since 30.01.2022.

Learned counsel for petitioner Pranav Kumar @ Dhiraj Kumar submits that he is innocent and has falsely been implicated in this case on account of political rivalry. He



further submits that there is no allegation of direct assault against this petitioner and he has been only alleged to be present at the place of occurrence and the petitioner has been languishing in jail in this case since 12.11.2021.

It is also stated in paragraph no. 2 of Cr. Misc. No. 14986 of 2022 that the petitioner, namely, Anant Kumar Singh has never moved before this Court for grant of anticipatory or regular bail in the present case and in paragraph no. 3 it has been stated that the petitioner has been earlier made accused in 39 other cases of different nature

It is also stated in paragraph no. 2 of Cr. Misc. No. 15566 of 2022 that the petitioner, namely, Ravi Vidyarthi @ Ravishankar Vidyarthi has never moved before this Court for grant of anticipatory or regular bail in the present case and in paragraph no. 3 it has been stated that the petitioner has been earlier made accused in four other cases.

It is also stated in paragraph no. 2 of Cr. Misc. No. 29603 of 2022 that the petitioner, namely, Pranav Kumar @ Dhiraj Kumar has never moved before this Court for grant of



anticipatory or regular bail in the present case and in paragraph no. 3 it has been stated that that the petitioner has been earlier made accused in two other cases.

Learned APP for the State contest the prayer of the petitioners for bail. However, in regard to petitioner Anant Kumar Singh, he fairly concedes that I.O. has not mentioned the mobile numbers of accused person Anant Kumar Singh who had allegedly hatched the conspiracy through whatsapp to commit the alleged offence.

In regard to the accused-petitioner, Ravi Vidhyarthi @ Ravishakar Vidhyarthi, learned APP for the State fairly concedes that he is not named in the F.I.R. and only material collected by Police against him is the confessional statement of accused Pranav Kumar.

Learned APP for the State vehemently opposes the prayer of the accused-petitioner, Pranav Kumar @ Dhiraj Kumar for bail, submitting that he is named accused in F.I.R. and as per the F.I.R. he was part of the unlawful assembly who committed the alleged offence and this allegation is supported by further statement of the victim/informant as



well as other eye-witnesses in the case-diary and as per the injury report the victim has suffered several bullet injuries resulting into grievous injury which was dangerous to his life.

Considering the aforesaid facts and circumstances, the petitioners, Anant Kumar Singh and Ravi Vidyarthi @ Ravishakar Vidyarthi, above-named, are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Barh in connection with Bhadaur P.S. Case No. 60 of 2021 on the following conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not hamper on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person



acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedent despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioners.

However, considering the nature of allegation and material in the case-diary, I am not persuaded to enlarge the petitioner, namely, Pranav Kumar @ Dhiraj Kumar on bail at this stage. Hence, the prayer of Pranav Kumar @ Dhiraj Kumar for bail is accordingly rejected. He may renew his prayer for bail after recording of deposition of the alleged victim-informant in the trial.



The applications stand disposed of accordingly.

The learned counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

**(Jitendra Kumar, J)**

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