

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19315 of 2022

Arising Out of PS. Case No.-192 Year-2012 Thana- DARIYAPUR District- Saran

NAG MANI SINGH Son of Late Rameshwar Singh Resident of village -
Srinagar Matihan, P.s.- Dariyapur, District - Saran at Chapra (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 28-04-2022 Heard learned counsel for the petitioner and the State.

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 Dariyapur P.S. Case No. 192 of 2012 registered under Sections 147, 148, 149, 323, 324, 307, 379 & 302 of the Indian Penal Code and 27 of the Arms Act.

Prosecution case in short is that the petitioner and other co-accused assaulted the son of the informant. The informant having heard the sound of bullet, came out of his house and it was known to him that his son was shot.

Earlier prayer for anticipatory bail of the petitioner was ordered to be withdrawn vide Annexure-1 to the present application by a coordinate bench (then His Lordship was) of this court with a liberty to renew his prayer for anticipatory bail after completion of investigation. Hence the present application has been filed on behalf of the petitioner.



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. Admittedly, the informant is not an eye witness to the manner of occurrence. After investigation, the police submitted final form against the petitioner finding the case to be false against this petitioner. Subsequently, the court below differed with the said police report and took cognizance.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve 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 learned Judicial Magistrate-Ist Class, Saran at Chapra in connection with Dariyapur P.S. Case No. 192 of 2012, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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