

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21702 of 2022

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

SHEKHAR SINGH @CHANDRA SHEKHAR 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
For the Informant : Mr. Anuj Kumar.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-05-2022 Heard learned counsel for the petitioner and learned
APP for 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.

A supplementary affidavit has been filed seeking
correction in paragraph no. 3 of the main application.

Learned counsel for the petitioner is permitted to
make necessary correction in paragraph no. 3 of the main
application in view of the statement made in the supplementary
affidavit in course of the day.

The petitioner is apprehending his arrest in a case
registered under Sections 147, 148, 149, 323, 324, 307, 379,



302 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, in short, is that the accused persons fired at the son of the informant due to which he sustained gun shot injury and later died.

The earlier anticipatory bail application of the petitioner was rejected vide Annexure-1 to the present application with a liberty to file a fresh anticipatory bail application after completion of investigation. Hence, in the light of the said liberty granted to the petitioner, the present anticipatory bail application has been preferred 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 falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Informant is not an eye witness to the manner of occurrence. After investigation, the allegations made against the petitioner was found to be false and police submitted final form against the petitioner but the Court below has differed with the police report and took cognizance against the petitioner.

On behalf of the State, it is submitted that the



petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, 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 bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st 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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