

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34246 of 2021

Arising Out of PS. Case No.-371 Year-2020 Thana- KHAIRA District- Saran

PRINCE KUMAR @ RAJ KUMAR SINGH @ RAJ KUMAR S/O
MADHUSUDAN SINGH R/o village- Chetan Chapra, P.S.- Baniyapur,
District- Saran at Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mr. Radha Mohan Singh
For the Opposite Party/s : Mr. Anand Kishore Choudhary
Ms. Susmita Mishra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 29-08-2022 Let the name of Mr. Radha Mohan Singh appear in
the daily cause list as learned counsel for the petitioner.

It is submitted that in spite of order of this court dated
23.06.2022 “ no coercive step against this petitioner” the I.O.
has filed an application for issuance of proceeding u/s 82 of the
Cr. P. C. and also completed the process of Section 83 of the Cr.
P.C. on 17.08.2022.

It appears that the I.O. of the case has exceeded his
jurisdiction and committed willful disobedience of the order of
this court.

In that view of the matter, let show cause notice be
issued to the I.O., namely, Shiv Nath Ram, P.S. Nagra O.P.
camp, Chetan Chapra, Baniyapur, district Saran as to why



contempt proceeding be not initiated against him for willful disobedience of the order of this court.

Let notice be communicated to the concerned I.O. through Superintendent of Police, Saran, Chapra through fax.

Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 307 and some other allied Sections of the Indian Penal Code and u/s 27 of Arms Act.

As per the prosecution case, specific accusation of firing is against co-accused, Harshit Kumar.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is submitted that specific accusation of firing is against co-accused Harshit Kumar and petitioner is only alleged to be associate of co-accused, Harshit Kumar. Petitioner has got clean antecedent.

Learned counsel appearing for the State and the informant opposed the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing



bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st class, Saran at Chapra in connection with Khaira (Nagra OP) PS case No. 371/ 2020, subject to conditions laid down u/s 438(2) of the Cr. P. C.

List this case under the same heading on 26.09.2022.

(Prabhat Kumar Singh, J)

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