

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30561 of 2022

Arising Out of PS. Case No.-241 Year-2022 Thana- BRAHMPUR District- Buxar

BASHISHTH SINGH @ BASHISHTH SINGH KUSHWAHA SON OF
LATE AMBIKA SINGH @ LATE AMBIKA PRASAD SINGH @ AMBIKA
SINGH R/O VILLAGE- DHARAHARA, P.S.- KRISHNA BRAHM,
DISTRICT- BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Siddharth Harsh, Advocate
For the Opposite Party/s	:	Mr. Kumar Veerendra Narayan, A.P.P.
For the Informant	:	Mr. Bachan Jee Ojha, Advocate
		Mr. Anand Kumar Ojha, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-09-2022 Heard learned counsel for the petitioner, the informant
and learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 307 and
506/34 of the Indian Penal Code and Section 27 of the Arms
Act.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

The informant alleges that while he was coming back
home he was intercepted by two accused persons who fired at
him causing injury. Earlier, the petitioner had followed him



twice or thrice, thereafter Dr. Pradeep Narayan Kushwaha had threatened to remove him from the way and Santosh Pal had also threatened him earlier.

Learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that the informant himself is not sure as to who committed the occurrence as the accused who fired were unknown and thus were not named in the FIR. He further submits that the informant in the FIR is alleging that the petitioner was following him, Dr. Pradeep Narayan Kushwaha had threatened him with Santosh Pal, he had dispute earlier. This amply demonstrates that informant himself was not sure that who amongst the three have got the occurrence committed, as such, the entire allegation hinges around suspicion. Learned counsel next submits that petitioner and the informant are co-villager and from the CCTV footage, it is culled out that petitioner was on a motorcycle and from the market he had gone back to his village ten minutes before the informant who was walking barefoot and this aspect has also been recorded in the impugned order.

Learned A.P.P. for the State and the learned counsel for the informant opposed the prayer for anticipatory bail of the



petitioner and submits that no doubt petitioner is not alleged to be the assailant but then definitely a suspicion has been raised against him.

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 Brahampur P.S. Case No. 241 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

In the event, if after investigation charge-sheet is submitted against the petitioner, the present anticipatory bail order shall lose its effect.

(Satyavrat Verma, J)

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