

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48169 of 2022

Arising Out of PS. Case No.-124 Year-2022 Thana- SHYAMPUR BHATHA District-
Sheohar

VINAY KUMAR SINGH @ BINAY SINGH Son of Ram Deni Singh R/V-
Ramban, PS- Shyampur Bhatha, Dist- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa
For the Opposite Party/s : Mr.Pushpa Sinha. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Shyampur Bhatha P.S. Case no. 124 of 2022 instituted for
the offence under Sections 302, 120B of the Indian Penal Code
and Section 27 of Arms Act.

The prosecution story is that when the informant with
his brother (deceased) were on a morning walk, after sometime,
several accused persons came there and one of them opened
indiscriminate firing upon the brother of informant due to which
he fell down. Thereafter, informant's brother was taken to
SKMCH, Muzaffarpur, where he was declared dead.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The only allegation leveled against the petitioner is that few days prior to the occurrence, he along with few others had threatened to kill the brother of the informant in the back drop of some land dispute between the parties and due to which the petitioner has falsely been made accused in this case on the basis of mere suspicion. It is further submitted that specific overt-act of shot fire is against other co-accused person not against this petitioner. During investigation no any material found against the petitioner that he had conspired to kill the brother of informant.

Learned APP appearing for the state has opposed the prayer of anticipatory bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Shyampur Bhatha P.S. Case no. 124 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like



amount each to the satisfaction of learned ACJM-I, Sheohar
subject to the conditions as laid down under section 438(2) of
the Cr.P.C.

(Sunil Kumar Panwar, J)

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