

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50106 of 2022

Arising Out of PS. Case No.-314 Year-2018 Thana- BARH District- Patna

Shishupal Kumar Son of Gopal Prasad Singh R/o Sarvodaya Nagar Kali
Mandir Road, Kumhrar, P.S.- Agamkuan, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Shahid Akhtar
For the Opposite Party/s : Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends his arrest in connection with
Barh P.S. Case No.314 of 2018, registered for the offences
punishable under Sections 457, 380, 511, 337 and 34 of the
Indian Penal Code as well as under Section 27 of the Arms Act.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got no criminal antecedent as
stated in paragraph-3 of the bail application. It is further
submitted that occurrence took place on 20.08.2018, but the FIR
was lodged on 23.08.2018, after delay of three days without
giving any explanation which creates a serious doubt on the
veracity of the prosecution case. It is submitted that the



petitioner is not named in the FIR. It is further submitted that no incriminating article has been recovered from the conscious possession of the petitioner. It is lastly submitted that similarly situated co-accused persons have already been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 13.12.2021, passed in Cr. Misc. No.60218 of 2021.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Taking into consideration the facts aforesaid, let 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 enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Barh in connection with Barh P.S. Case No.314 of 2018, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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