

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9060 of 2023

Arising Out of PS. Case No.-366 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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ABHIMANYU SINGH @ ABHIMANYU KUMAR @ TUPAL SINGH @
TUPAL S/O HAKIM SINGH @ HAKIM PRASAD SINGH Resident of Ward
No.- 19, Thakurbari, Katihama, Bakhadda, P.S.- Muffasil, District- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Shankar Kumar Thakur, Advocate
For the Opposite Party/s : Mrs. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-04-2023 Heard Mr. Ramakant Sharma, learned senior counsel

assisted by Mr. Shankar Kumar Thakur for the petitioner and

learned A.P.P. for the State.

The petitioner apprehends his arrest in Muffasil P.S.

Case No. 366 of 2022 registered for the offences punishable

under Sections 341, 323, 302 and 34 of the Indian Penal Code

and Section 27 of the Arms Act pending in the Court of learned

C.J.M., Begusarai.

The petitioner in association of other co-accused is

said to have shot dead the deceased.

It is submitted by learned counsel for the petitioner

that no such occurrence as alleged ever took place. He has been



falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that the whole prosecution story is based on conjecture and surmises. The deceased has been murdered by unknown person and to take revenge, the petitioner has been falsely implicated in this case. Petitioner has three criminal antecedents as mentioned in para-3 of this application.

Learned APP for the State vehemently opposing the bail petition submitted that considering the nature of the offence and the criminal antecedents of the petitioner, the petitioner does not deserve anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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