

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24731 of 2023

Arising Out of PS. Case No.-681 Year-2022 Thana- BIHPUR District- Bhagalpur

1. SHAMBHU PRASAD SINGH S/O LATE FIJLI PRASAD SINGH @ LATE BIJLI PRASAD SINGH R/O Village- Pakra, Ward No. 5, P.S- Naugachhia, Distt.- Bhagalpur.
2. Devraj Kumar @ Devraj Prasad Singh S/O Shambhu Prasad Singh R/O Village- Pakra, Ward No. 5, P.S- Naugachhia, Distt.- Bhagalpur.
3. Dharamraj Kumar @ Dharmraj Kumar Singh S/O Shambhu Prasad Singh R/O Village- Pakra, Ward No. 5, P.S- Naugachhia, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-07-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that she alongwith her husband and son had gone to the Registrar Office where the petitioners came and assaulted them, it is further alleged Shambhu snatched her chain and when they came out of the Registrar's Office, Devraj fired but they



managed to save themselves and the occurrence was captured on CCTV.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that there is an admitted land dispute between the parties, it is further submitted that no prudent person would enter a Government Office and would commit such an occurrence and hence would create evidence against themselves and thus would get implicated.

5. It is next submitted that on account of dispute relating to land the present false case has been instituted and the allegation against Devraj of firing is false, it is also submitted that the CCTV footage does not captured Devraj firing.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that as far as Devraj is concerned he is alleged to have fired and the occurrence is alleged to have been captured on the CCTV.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bihpur (Jhandapur) P.S. Case No. 681 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned trial court before accepting the bail bonds of Devraj shall enquire and verify from the Investigating Officer of the case that as to whether CCTV captured Devraj firing at the time of occurrence and in event, if it is found that Devraj was captured firing on the CCTV, in that event, the present anticipatory bail order shall not be given effect to against Devraj.

(Satyavrat Verma, J)

Adnan/-

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