

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26371 of 2023

Arising Out of PS. Case No.-89 Year-2021 Thana- KARAKAT District- Rohtas

1. Amar Singh, son of late Lal Bihari Singh R/O Village- Sakala, P.S.- Karakat, District- Rohtas at Sasaram
2. Hare Ram Kumar Son Of Sri Amar Singh, R/O Village- Sakala, P.S.- Karakat, District- Rohtas at Sasaram
3. Ravi Kumar Son Of Bhagat Singh R/O Village- Sakala, P.S.- Karakat, District- Rohtas at Sasaram

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Krishna, Advocate
For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-07-2023 Heard the learned counsel for the
petitioners and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Karakat P.S. Case No.89 of 2021, registered for offences under Sections 341, 323, 326, 307, 109, 504, 506 and 34 of the IPC and under Section 27 of the Arms Act.

The allegation is regarding the petitioners and one another accused person, namely, Krishna Kumar having dragged Ram Niwas Kumar out of the marriage venue, while abusing



him, however, the villagers, assembled there, had tried to free the said Ram Niwas Kumar from the clutches of the petitioners. It is also alleged that the petitioners had instigated the co-accused person, namely, Krishna Kumar to kill the said Ram Niwas Kumar, whereupon the said Krishna Kumar had fired gunshot on the son of the informant, namely, Ram Niwas Kumar, resulting in him sustaining gun shot injuries.

The learned counsel for the petitioners has submitted that the petitioners are innocent, and they have been falsely implicated in the present case. The learned counsel for the petitioners has further submitted that while the petitioner nos 2 to 3 are having a clean antecedent, the petitioner no.1 is an accused in one another case, in which he is on bail. It is also submitted that as far as the petitioners are concerned, they are not alleged to have engaged in any specific overtact, much less having fired gunshot on the injured person. Lastly, it is submitted that main accused person has already



been granted regular bail by a co-ordinate Bench of this Court, vide order dated 26.04.2022, passed in Cr. Misc. No.65628 of 2021.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioners have not been alleged to have engaged in any sort of specific overact and main accused person has already been granted the privilege of regular bail, by a co-ordinate Bench of this Court, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the above named petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of



Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-II, Bikramganj in connection with Karakat P.S. Case No.89 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

kanchan/-

U		T	
---	--	---	--

