

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27199 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- SHEOHAR District- Sheohar

NAVIN KUMAR SHAHI S/O MAHENDRA SHAHI R/V- Madhopur Chhata,
P.S.- Hiramma, District- Sheohar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K., Advocate
For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 30-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Sheohar P.S. Case No.- 15 of 2023 registered for the offences punishable under Sections 302/34 of the Indian Penal Code and under Section 27 of the Arms Act. He has got no criminal antecedent.

3.Learned counsel for the petitioner submits that on 23.01.2023 when the informant along with his father was returning from Sheohar on a motorcycle two persons riding motorcycle came near their motorcycle and obstructed their way. The pillion rider of the said motorcycle fired upon the father of the informant and fled away toward Nimahi. It is further stated that Pankaj Paswan said to the informant that the alleged motorcycle was driven by co-accused Md. Warik and



pillion rider was Niraj Kumar. The informant raised as strong suspicion of conspiracy behind killing of his father due to previous enmity which is between his father and the accused persons namely Navin Kumar Shahi (petitioner), Md. Warik, Niraj Kumar, Prince Kumar, Umakant Thakur due to dispute of Panchayat election.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner has no criminal antecedent.

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

6. Having regard to the facts and circumstance of the case wherein it has come in the case diary that the person who was driving the motorcycle was one Md. Warik and the person who had fired upon the father of the informant was one Niraj Kumar who is the Mukhiya who shot at the father of the informant, the name of this petitioner who is PACS Chairman has transpired as the conspirator as the informant was allegedly writing against the Mukhiya as well as the PACS Chairman, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.



7. The prayer for anticipatory bail of the petitioner is refused.

8. In case the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today, his prayer shall be considered on its own merit without being prejudice by the order of this Court.

9. This application stands disposed of.

(Rajeev Ranjan Prasad, J)

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