

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45795 of 2023**

Arising Out of PS. Case No.-435 Year-2022 Thana- BARAUNI District- Begusarai

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Ajay Kumar Singh @ Vijay Kumar Singh, Son of Late Jagwali Singh, R/O  
Village - Asurarai, P.S.- Barauni, Dist.- Begusarai, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Vikram Anurag, Advocate

For the Opposite Party/s : Mr.Raj Kishor Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      04-08-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Barauni P.S. Case No. 435 of 2022 dated 12.09.2022, registered for the alleged offences under Sections 341, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, four persons on two motorcycles accosted the informant and one of them fired upon the informant which hit in his right thigh. The informant showed his suspicion that the petitioner and three other co-accused persons fired upon him due to previous enmity.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The informant did not see the face of the accused persons and there is no eye witness to the alleged incident. The informant had not given the details of the registration number of the alleged motorcycles. Only on the basis of suspicion, the petitioner has been made accused. The other two co-accused namely, Nitish Kumar Singh and Ramnikant Singh have been granted bail by different Coordinate Benches of this Court vide orders dated 17.03.2023 & 08.05.2023 passed in Cr. Misc. Nos.2862 of 2023 & 961 of 2023, respectively. The learned counsel further submits that there is land dispute between the parties and a Title Suit No.118/2015 is pending in the Civil Court, Begusarai between the informant's side and the petitioner's side.

5. Learned APP opposes the prayer for anticipatory bail submitting that the petitioner is named in the FIR and the allegation is that of opening fire on the informant.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the land dispute in between the parties and further considering the grant of anticipatory bail to the similarly placed co-accused persons and also considering the possibility of false accusation, let the petitioner, above named, in the event of his arrest or



surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Barauni P.S. Case No. 435 of 2022, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

V.K.Pandey/-

**(Arun Kumar Jha, J)**

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