

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44160 of 2023

Arising Out of PS. Case No.-276 Year-2022 Thana- GUTHANI District- Siwan

BALVEER SINGH SON OF RAMESH SINGH @ RAMESH KUMAR SINGH RESIDENT OF VILLAGE - SOHAGRA PURAB PATTI, PS-GUTHANI, DISTT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rana Neha Kumari, Advocate

Mr. Prabhakar Singh, Advocate

For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-07-2023 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 325, 307 and 120(B) of the Indian Penal Code as well as Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of two cases.

4. The informant alleges that Robin @ Bare fired causing injury on his chest thereafter Raushan fired causing injury on his teeth while Vikash Singh and petitioner fired hitting him on his upper body and Sunil Yadav, Nikesh Gond and Vikash Dubey were driving the vehicle.

5. Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the present case on account of political rivalry. It is further submitted that specific allegation of causing injury is against Robin and Raushan who are alleged to have fired causing injury on the chest and teeth of the informant. It is next submitted that even the injury report records two injuries on the abdomen and other on the teeth of the informant which amply demonstrates that the petitioner has been implicated in the case with exaggerated allegation.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that there is allegation against this petitioner also of firing and the investigation is still going on.

7. Learned counsel for the petitioner further submits that petitioner will not abscond rather will cooperate in the investigation and will present himself as and when required by the investigating officer of the case for eliciting the truth and proving his innocence.

8. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.1,000/- (Rupees



One Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Guthani P.S. Case No. 276 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

9. However, it is made clear that if the investigating officer of the case files an application bringing to the notice of the learned court below that petitioner despite giving assurance to this Court is not cooperating in the investigation or is not presenting himself when required by the investigating officer, the learned court below shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

10. Let a copy of this order be sent to the concerned police station through the learned court below.

11. It is made clear that if charge-sheet is submitted against the petitioner connecting him with the offence in that event the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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