

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48029 of 2023

Arising Out of PS. Case No.-85 Year-2022 Thana- NAVINAGAR District- Aurangabad

Shubham Singh Son Of Amresh Singh Resident Of Village- Karamdih, Ps-
Nabinagar, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Anand, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 11-08-2023 1. Heard the learned counsel for the petitioner and learned APP for the State.
2. This is an application for grant of anticipatory bail in connection with Nabinagar P.S. Case No.85 of 2022, registered for offences under Sections 341, 323, 325, 504, 506, 379 and 34 of the Indian Penal Code and 27 of the Arms Act.
3. The case of the prosecution, in brief, according to the informant, is that while his brother was returning on his tempo in the evening at about 5 p.m. on 16.03.2022, the accused persons, including the petitioner herein had intercepted him, whereafter the co-accused person, namely,



Saurabh Singh had assaulted the brother of the informant with iron rod causing fracture in his hand.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that first of all, the informant is not eye witness of the present case and secondly, the petitioner has not been alleged to have assaulted the informant, hence the petitioner be granted the privilege of anticipatory bail.

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

6. 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 petitioner has not been alleged to have assaulted the brother of the informant, apart from



the fact that the informant is not eye witness to the alleged occurrence, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

7. Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Aurangabad in connection with Nabinagar P.S. Case No.85 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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