

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52357 of 2023

Arising Out of PS. Case No.-84 Year-2018 Thana- AKHODHIGOLA District- Rohtas

BABAN SINGH S/O LATE SOMARU SINGH R/O VILLAGE- MAHUARI,
PS. AKODHIGOLA, DIST. ROHTAS AT SASARAM

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad

For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-08-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 302 of the Indian Penal Code and 27 of Arms Act.

3. The allegation against the petitioner is that the petitioner is involved in the murder of the husband of the informant.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. Petitioner is not named in the FIR, his name transpired in the present case on the basis of statement of the witness. He further submits that the deceased had stated in his statement that



the co-accused Sheo Bachan Ram had fired shot upon him, which is also evident from the FIR. He further submits that the statement of the wife of the deceased was recorded u/s 161 of Cr.PC in which she has not taken the name of the petitioner. Petitioner has one criminal antecedent of similar nature of offence.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Akhorigola P.S. Case No.84 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

shikha/-

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

