

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53901 of 2023**

Arising Out of PS. Case No.-173 Year-2023 Thana- SHAHKUND District- Bhagalpur

PREM SAGAR @ MUNNA SINGH son of Chaturanand Singh Village-  
Khurd Chiraiya PS- Jagdishpur Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Praveen Kumar,

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      23-08-2023      Heard the learned counsel for the petitioner and the learned  
A.P.P. for the State.

2.      This is an application for grant of anticipatory bail in connection with Shahkund (Sajour) P.S. Case No. 173 of 2023, registered for the offence punishable under Section 341, 307, 504, 225, 34 of the Indian Penal Code and Section 25(1-b)a, 26 of the Arms Act.

3.      The allegation is regarding an altercation having taken place on the alleged date and time of occurrence in between the informant and the wife of the petitioner, whereafter the petitioner is alleged to have been called by her wife at the alleged place of occurrence, whereupon he is alleged to have fired on the informant and his husband, however, the informant and her husband escaped from being hit by the gunshots.



4. The learned counsel for the petitioner submits 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 the present case arises out of case and counter case and the fact is that the petitioner has been grievously injured in the alleged incident and a superficial allegation of firing of gunshots has been levelled against the petitioner, inasmuch as neither the informant nor her husband have received any gunshot injuries.

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 petitioner, taking into account the materials available on record as also considering the fact that the present case arises out of case and counter case, the informant and her husband have not received any gunshot injury and it is the specific averment of the learned counsel for the petitioner that the petitioner has been grievously injured in the alleged occurrence, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

7. Accordingly, the 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 ACJM, VIII, Bhagalpur, in connection with Shahkund (Sajour) P.S.Case No. 173 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

Ajay/-

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