

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78136 of 2023

Arising Out of PS. Case No.-364 Year-2022 Thana- SHAHKUND District- Bhagalpur

Raushan Singh @ Lalu Singh Son Of Abhay Singh R/O Of Village- Chan-
drama, P.S.- Sajaur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-12-2023 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 302, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the informant's son, Sahil Singh came armed with pistol from behind the door and opened fire on informant's daughter, Shivani that caused her death.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. Petitioner is quite innocent and has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. Allegation of firing upon the deceased is against Sahil, brother of the deceased. It is further submitted that during



the course of investigation witnesses have not supported the prosecution case and no evidence has been found against the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. Having regard to the facts and circumstances of the case, as there is no overt act against the petitioner and clean antecedent of the petitioner, let the above named petitioner, be released on bail, in the event of his 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) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Sahkund (Sajaur) P.S. Case No. 364 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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