

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80650 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- SHEOHAR District- Sheohar

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KESHAV SINGH SON OF DHANANJAY KUMAR SHARMA VILLAGE
-MADHOPUR CHATTA PS- HIRAMMA DISTRICT -SHEOHAR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Adv
		Mr. Rakesh Kumar Sharma, Adv
For the Opposite Party/s :		Mrs. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-12-2023 Heard learned Senior Counsel for the petitioner as well
as learned APP for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 302/34 of the Indian
Penal Code and 27 of Arms Act.

3. As per the prosecution case, when the informant's
father was coming back from Sheohar, two persons followed
him by a motorcycle and the person who was a pillion rider shot
at the head of the informant's father due to which his father
succumbed to the injuries on the spot.

4. It is submitted by learned Senior 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. He submits that the petitioner is not named in the FIR and he has been made accused in the present case during the course of investigation. He submits that Md. Warik is said to have been driving the motorcycle and Niraj Kumar, was the pillion rider who had fired upon the informant's father. He further submits that similarly situated co-accused persons have been granted anticipatory bail by this Court vide order dated 08.08.2023 passed in Cr. Misc. No.37767 of 2023. Petitioner has no criminal antecedent, which is also mentioned in para-3 of the bail application.

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 Sheohar P.S. Case No.15 of 2023, subject to the conditions
as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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