

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12739 of 2024

Arising Out of PS. Case No.-621 Year-2023 Thana- ARA NAGAR District- Bhojpur

1. Shubham Singh @ Rukhi Kumar @ Rukhi @ Shubham Kumar son of Sunil Kumar @ Sunil singh village- Sheoganj Sapna Cinema Ps- Ara Nagar Dist- Bhojpur
2. Amit Kumar @ Amit Yadav son of Kamlesh Yadav R/o- MP Bagh Ahirtoli Ps- Ara Nagar Dist- Bhojpur
3. Bishal Kumar @ Vishal Kumar @ Vishal Kumar Singh son of Krishna Kumar Village- Afimi Kothi Manjhauwan Majhauwa Ps- Ara Nagar Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar .

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 10-04-2024 Heard learned Counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Ara Nagar P.S. Case No. 621 of 2023 for the offence registered under Sections 341, 323, 307 & 34 of the Indian Penal Code lodged on 02.08.2023 by the informant, Suraj Kumar.

3. As per the prosecution story, the informant alleged that Amit Kumar and Rukhi Kumar @ Shubham Singh along with others came and started fighting. Suddenly, Amit Kumar and Rukhi Kumar @ Subham Kumar resorted to eight round firing whereafter they went for treatment and F.I.R.

4. So far as the petitioner No.1, Shubham Singh @



Rukhi Kumar and petitioner No.2, Amit Kumar @ Amit Yadav are concerned, specific allegation against them are of creating havoc by opening 8 round firing.

5. Regarding Bishal Kumar @ Vishal Kumar @ Vishal Kumar Singh though his name is there and no alleged act has been attributed.

6. It is the case of the petitioner that Md. Shahid against whom also no role was attributed, he has been extended relief in Cr. Misc. No. 20057 of 2024.

7. So far as petitioner No.1, Shubham Singh and petitioner No.2, Amit Kumar are concerned, in view of the fact that they resorted to firing and allegation are directly against both of them, their anticipatory bail application stands rejected.

8. So far as petitioner No.3, Bishal Kumar, there is no specific allegation against him, having no criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail.

9. Let the petitioner No.3, Bishal Kumar in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned



C.J.M., Bhojpur at Ara/concerned Court in connection with Ara Nagar P.S. Case No. 621 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner No.3, Bishal Kumar, who shall provide official document to show his *bona fide*;

(ii) the petitioner No.3, Bishal Kumar shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner No.3, Bishal Kumar shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner No.3, Bishal Kumar shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner No.3, Bishal Kumar shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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