

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23766 of 2024

Arising Out of PS. Case No.-142 Year-2023 Thana- BELDOUR District- Khagaria

1. Manish Kumar @ Shivrangan Kumar, Son of Dallu Singh @ Dilip Kumar Singh, Resident of Village- Purani zeromile, P.S.- Beldaur District- Khagaria
2. Satish Kumar, Son of Ganga Ram Singh, Resident of Village- Purani zeromile, P.S.- Beldaur District- Khagaria
3. Rohit Kumar, Son of Mukhi Singh @ Mukesh Singh, Resident of Village- Pansalwa P.S.- Beldaur District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Kishor Poddar, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 12-07-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Beldaur P.S. Case no. 142 of 2023, registered under sections 307, 326 and 120B of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that his son was taken away by the petitioner nos.1 and 2 namely Manish Kumar and Satish Kumar respectively. After some time, he received information on mobile phone from one Pankaj Sharma that his son has sustained firearm injury. On inquiry from petitioner nos.1 and 2 as to what had happened, the



informant states that he was told that the fuel of the vehicle of petitioner no.3 had finished and they had gone to reach the fuel for him when the occurrence took place. The son of the informant was taken to the hospital for treatment.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case only for the reason that just before the occurrence, the son of the informant had gone with the petitioners. The statement of the injured son of the informant was recorded under section 161 of the Cr.P.C. wherein he has categorically stated about one Aryan Kumar having shot him. The injured son of the informant has not levelled any allegations against these petitioners. The petitioners undertake to cooperate in the investigation/case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State, however learned A.P.P. does not deny that there is no allegation by the injured victim against any of these three petitioners.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R. together with the material that has transpired in course of investigation wherein in his statement the injured has made direct allegation of having sustained firearm injury as a result of being shot upon



by one Aryan Kumar and not the three petitioners herein, it is directed that all the three petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Beldaur P.S. Case no. 142 of 2023 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Khagaria.

(Partha Sarthy, J)

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