

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36024 of 2024

Arising Out of PS. Case No.-159 Year-2022 Thana- MATIHANI District- Begusarai

Ranjan Singh, Son of Late Suresh Singh @ Suro Singh, Resident of Village-
Matihani P.S. Matihani, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-06-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 307, 506 and 34 of the Indian Penal Code and Section
27 of the Arms Act.

3. The learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant at the behest of one Satyanarayan Yadav @ Bhokan
Yadav. It is further submitted that the petitioner earlier instituted
Matihani P. S. Case No.158 of 2022 dated 23.11.2022 under
Sections 307 and 34 of the I.P.C. read with Section 27 of the
Arms Act alleging therein that on 23.11.2022 while he was near
Shiv Temple when Satyanarayan Yadav alias Bhokan Yadav



along with unknown accused came and started firing on him, but the petitioner somehow managed to escape saving himself, but later found that the instant informant received firearm injury in the occurrence and accordingly, he asked the instant informant that how he was injured, on which he disclosed that he recognized Satyanarayan Yadav.

4. The learned counsel for the petitioner submits that the injured of Matihani P. S. Case No.158 of 2022 instituted the instant F.I.R. on 24.11.2022 alleging that he was shot by the petitioner and thereafter petitioner along with other accused persons took him in his Maruti Car and brought him near a temple and forced him to confess that he was hit by Satyanarayan Yadav. Accordingly, the informant under fear stated that he was hit by Satyanarayan Yadav which was video-graphed by the petitioner. Further, the police arrived at the place of occurrence and took the injured to the hospital.

5. The learned counsel for the petitioner submits that had the petitioner shot the informant then he would have fled from the place of occurrence, but the petitioner seeking the informant in an injured condition put him in his car as disclosed by the informant. It is also submitted that the informant himself alleges that after he was shot, the petitioner put him in his car



and brought him near a temple where police came. It is submitted that it absolutely does not stand to reason that if the police had come at the place of occurrence where the informant was made to confess that he was shot by Satyanarayan Yadav, then why he did not inform the police about the said act of the petitioner, which further cast an aspersion on the case of the prosecution. It is also submitted that the date of occurrence is 23.11.2022 and the instant F.I.R. came to be instituted on 24.11.2022. It is next submitted that the informant under pressure of Satyanarayan Yadav has instituted the instant false case.

6. Learned A.P.P. opposes the anticipatory bail application of the petitioner, but then, is not in a position to rebut the submission of the learned counsel for the petitioner that as to why the informant did not disclose to the police on 23.11.2022 itself about the occurrence and why the instant F.I.R. came to be instituted on 24.11.2022, but further submits that it absolutely does not stand to reason that why a person, who was shot, would falsely implicate someone who had not committed the occurrence.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the



event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Ms. Ruby Kumari, the learned J. M., 1st Class, Begusarai in connection with Matihani P. S. Case No.159 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

9. However, in the event, if police after investigation files charge-sheet against the petitioner, in that event, the present anticipatory bail order shall lose its effect.

(Satyavrat Verma, J)

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