

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33293 of 2024**

Arising Out of PS. Case No.-830 Year-2023 Thana- DEHRI TOWN District- Rohtas

Shushil Kumar @ Shushil Yadav S/o Hare Krishna Singh R/o vill - English,  
P.S. - Barun, Distt. - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

4      09-08-2024                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 302, 120B and 34 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, when the informant's son was going to Dehri to meet his sister then the informant's friend called on the informant's another son's mobile and told him that his brother met with an accident near the Sone River Bridge. When the informant reached there he saw that his son was lying there in a very strange condition and some persons were chasing the car which got caught with the help of the



administration and two people were apprehended who disclosed their names as Ankit Kumar and Sonam Kumar. Thereafter, the informant's son was taken to the hospital, where the doctor declared him dead. The informant alleged that the accused persons threatened the informant earlier also and they hatched the conspiracy to hit his son with a Bolero vehicle while he was driving due to which he got seriously injured and while being taken for treatment, his son died in hospital.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged offence. The name of the petitioner has surfaced on the basis of the confessional statement of the co-accused, namely, Ankit Kumar and Sonal Kumar @ Hemant Kumar which has got no evidentiary value in the eye of law. The petitioner has one criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his



arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Dehri, Rohtas at Sasaram in connection with Dehri Town P.S. Case No. 830 of 2023 subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with the further condition:-

(i) That the petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

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