

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33359 of 2024

Arising Out of PS. Case No.-390 Year-2023 Thana- KONCH District- Gaya

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Gagan Singh @ Gagan Kumar S/o Ram Naresh Singh R/o vill - Goh, P.S. -
Goh, Distt. - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha, Ad

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 302, 120(B), 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per F.I.R., co-accused Raju Singh fired upon the husband of the informant due to which, he died on spot and this petitioner is only alleged to be involved in the said crime.

4. Learned counsel for the petitioner submits that as per F.I.R. itself, specific accusation of firing is against co-accused Raju Singh and petitioner has been made accused in this case merely because he happens to be son-in-law of co-accused Raju Singh. There is no allegation of any overt act against this petitioner. Petitioner is not even alleged to be present at the place of occurrence. Petitioner claims clean antecedent.



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

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Court below within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - VIII, Gaya in connection with Konch P.S. Case No. 390 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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