

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33216 of 2024

Arising Out of PS. Case No.-1010 Year-2023 Thana- ALAMGANJ District- Patna

Shankar Saw Subash Saw R/O MOHALLA-CHAILITAL NEAR KAMLA
SCHOOL, P. S.-ALAMGANJ, DIST-PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Adv.

For the Opposite Party/s : Mr. Pradeep Narain Kumar, 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 Section 302 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, some unknown miscreants are alleged to have committed murder of the informant's brother by firing bullet on his head.

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 petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused, Arjun Yadav which has no evidentiary value in the eyes



of law. The co-accused has been granted regular bail by this Court vide order dated 20.07.2024 in Cr. Misc. No. 44702 of 2024. The petitioner has no 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, Patna City in connection with Alamganj P.S. Case No. 1010 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition:-

(i) 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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