

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35223 of 2024

Arising Out of PS. Case No.-781 Year-2023 Thana- BIHTA District- Patna

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1. NIRAJ SINGH SON OF LATE SHANKAR DAYAL SINGH @ FAUJI
RESIDENT OF LOHAR FARNA (FARMA), P.S. - BADHARA
(BARHARA), DISTRICT - BHOJPUR
 2. ABHIMANYU SINGH SON OF LATE SHANKAR DAYAL SINGH @
FAUJI RESIDENT OF LOHAR FARNA (FARMA), P.S. - BADHARA
(BARHARA), DISTRICT - BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Adv.
For the Opposite Party/s : Ms. Pronoti Singh, APP

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

ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a
case registered for the offences punishable under Section 147,
148, 149 and 302 of the Indian Penal Code and under Section 27
of the Arms Act.

3. As per the prosecution case, the petitioners and the
co-accused persons were illegally cutting sand from the farm of
the informant's father and villagers by the Poklan Machine.
When the informant's father and villagers objected the same,
the co-accused persons Anish Rai and Praveen fired on the chest



of the informant's father due to that he died.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The specific allegation of firing is against Anish Rai and Praveen @ Biru. There is general and omnibus allegation against the petitioners. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have no concern with the alleged offence. The similarly situated co-accused has been granted anticipatory bail by this Court vide order dated 03.04.2024 passed in Cr. Misc. No. 8921 of 2024. The petitioners have 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 petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned court concerned, Danapur(Patna) in connection with Bihta P.S. Case No. 781 of 2023, subject to conditions as laid down under



section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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