

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38145 of 2024

Arising Out of PS. Case No.-212 Year-2023 Thana- MAHESHKHUNT District- Khagaria

1. Amarjeet Singh @ Nippo Singh
2. Bittu Singh @ Nilesh Singh
Both Are Sons Of Rajeev Singh Village- Patla Ward No. 16, Ps-
Maheshkhunt Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-07-2024 Heard learned counsel for the petitioners as well as
learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 302, 286, 504/34 of the IPC and 27 of the Arms Act in connection with Maheshkhunt P.S. Case No.212 of 2023.

3. The learned counsel for the petitioners submit that petitioners are persons with clean antecedent and have been falsely implicated in the instant case by the informant on account of dispute relating to land.

4. It is further submitted that specific allegation of causing firearm injury on chest of the father of the informant is



against Gopal Singh, but then the informant also alleges that eight accused persons also fired indiscriminately hitting his father leading to his death. The learned counsel for the petitioners fairly submit no doubt there is allegation of firing but then the informant does not specifically alleges that by whose fire his father died, though he alleges that Gopal Singh fired causing injury on the chest.

5. The learned APP opposes the anticipatory bail and submits that there is specific allegation against the petitioners also of firing and the deceased suffered five firearms injury, which amply demonstrates that indiscriminate firing was made, as such it cannot be presumed that the informant with precision would have alleged that whose firing hit his father. It is also submitted that the investigation of the case is in its nascent stages and in the event if the petitioners are granted the privilege of anticipatory bail, in that event, they may tamper with the evidence.

6. The learned counsel appearing on behalf of the petitioners at this stage submits that Aman Singh along with Kumkum Devi have also approached this Court seeking anticipatory bail by filing Cr. Misc. No.38046 of 2024 and in the said case, case diary along with the postmortem report has been



called for, as such the instant case be also kept along with Cr. Misc. No.38046 of 2024, on which the learned APP submits that there is no specific allegation against the petitioners of Cr. Misc. No.38046 of 2024 of firing, further petitioner no.2 is a lady. It is further submitted that petitioner no.1 in Cr. Misc. No.38046 of 2024 is Aman Singh but then allegation of firing is against Aman Kumar. The learned counsel for the petitioner at this stage clarifies that Aman Singh and Aman Kumar are two different individuals.

7. Considering the submission made by the learned APP, the Court is not inclined to accept the privilege of anticipatory bail to the petitioners, accordingly, the anticipatory bail application is rejected.

(Satyavrat Verma, J)

Prakash Narayan

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