

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38616 of 2024

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

Ajay Singh Son of Tejan Singh R/o- Nathmalpur, P.S.- 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 : Mr. Bishweshwar Ram, APP

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

ORAL ORDER

2 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 in connection with Bihta P.S. Case No. 781 of 2023 dated 29.07.2023 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 petitioner 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 petitioner has submitted that the petitioner is innocent and has 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 petitioner. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged offence. The similarly situated co-accused has been granted anticipatory bail by this Court vide order dated 02.08.2024 passed in Cr. Misc. No. 35223 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) 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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