

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43961 of 2024

Arising Out of PS. Case No.-702 Year-2023 Thana- FATUA District- Patna

Ram Shuhavan Gop @ Ram Suhawan Singh @ Ramsohawan Singh son of
Late Rewachandra Singh @ Rewat Gope Village- Surangapar Ps- Fatuha
Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tej Narayan Singh

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 21-08-2024 1. 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 offences punishable under Sections 302 , 120B
and 34 of the Indian Penal Code and Section 27 of the Arms
Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that on 14-9-2023 at about 10.00 PM, when she was at
her home and her elder, Pradip, was coming back after milking
the cattle, when outside the village near a school, 13 named
accused persons including the petitioner waylaid with rifle and
katta and started indiscriminate firing on him causing injury on



chest and he died, further the occurrence is alleged to have taken place on account of dispute relating to land.

4. Learned counsel for the petitioner submits that petitioner is a senior citizen aged about 60 years and has been falsely implicated in the instant case by the informant on account of dispute relating to land. It is also submitted that from perusal of allegation as alleged in the FIR, it would manifest that informant is not an eye-witness to the occurrence. It is also submitted that though there is an allegation of indiscriminate firing, but then the deceased only suffered one fire-arm injury on chest. It is next submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Fatuha P.S. Case



No. 702 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

8. It is further made clear that in the event if charge-sheet is submitted connecting the petitioner with the offence, in that event, the present anticipatory bail order shall lose its effect.

(Satyavrat Verma, J)

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