

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46319 of 2024

Arising Out of PS. Case No.-224 Year-2024 Thana- KANKARBAG District- Patna

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Shekhar Kumar @ Shekhar Gaurav Son of Dinesh Dixit R/O Above the
Apartment of Punjabi Dhaba, P.S.- Kankarbagh, Dist.- Patna. Permanent R/O
Kewani Saran, P.S.- Garkha, Dist.- Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-08-2024 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 341, 323,
307, 420, 504, 120B and 34 of the Indian Penal Code, Section
27 of the Arms Act and Section 11 of the Public Gambling Act,
1867.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that on 29-3-2024 while he along with police personnel
was on patrolling duty, when about 2:30 A.M he received an
information that Manish and his associates had gathered near
Sai Hospital and were betting on IPL Cricket Match, and also



resorted to firing, accordingly, the informant reached the place of occurrence and 10-15 accused persons were seen scuffling and one person fired but on seeing the police, the accused fled but Rohit was apprehended who disclosed the name of the petitioner, further on search mobile phone of Apple was recovered from possession of Rohit along with empty cartridge on which OK-7 was written along with a Scorpio vehicle and a Bullet motorcycle.

4. It is next submitted that petitioner has been falsely implicated in the instant case based on confessional statement of Rohit in police custody, which does not have any evidentiary value. It is also submitted that petitioner is aged about 36 years and is a person with clean antecedent and it is not the case of the prosecution that petitioner had indulged in firing. It is also submitted that no one was injured in the firing also but to give seriousness to the case said allegation has been levelled and no arms has been recovered. It is also submitted that petitioner will not abscond rather will cooperate in the investigation.

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 Kankarbagh P.S. Case No. 224 of 2024, 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 forthwith cancel the bail bonds of the petitioner after recording reasons.

(Satyavrat Verma, J)

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