

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47953 of 2024

Arising Out of PS. Case No.-142 Year-2023 Thana- PATAHI District- East Champaran

Abhimanu Singh @ Abhimanu Kumar Singh Son of Harendra Prasad Singh
R/O Vill.- Gujaral, Pachpakari, P.S.- Patahi, Dist.- East Champaran, Motihari

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Ms. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-09-2024 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 offence punishable under Sections 302, 201, 34 of the Indian Penal Code & Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of two cases and the informant alleges that his son Satyam on 05.05.2023 was returning home, when he was abducted by the accused persons including the petitioner and they killed him and thereafter threw the dead body in a maize field, on getting information, the informant reached the place of occurrence and saw the dead body of his son with mark of injuries on body and there was a firearm injury on chest even, further, few days back, Dharendra had threatened to kill his son.



4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant based on suspicion. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the informant is not an eyewitness to the occurrence and the entire allegation hinges around suspicion. It is further submitted that even allegation of threat is against Dhirendra. It is further submitted that petitioner will not abscond rather will co-operate 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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five 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 Patahi P.S. Case No.142/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



7. Further, one of the bailors of the petitioner shall be his father, namely, Harendra Prasad Singh.

8. 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 his notice that the petitioner despite giving assurance to this court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bond of the petitioner and to take all coercive steps to ensure that petitioner is behind bars.

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

(Satyavrat Verma, J)

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