

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.54165 of 2024

Arising Out of PS. Case No.-57 Year-2022 Thana- KOILWAR District- Bhojpur

Ajay Singh S/o Late Tejan Singh R/o Village- Rup Bandh, P.S.-Jagdishpur,
district-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 30-08-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Koilwar Police Station Case No. 57 of 2022, dated 22.01.2022, disclosing offences punishable under Sections 147/148/149/307/427/506 of the Indian Penal Code and Section 27 of the Arms Act.
3. The prosecution case, as per the First Information Report, is that on 21.01.2022 at about 15:20 hours at cluster no. 50, Kamaluchak sand ghat, there was firing and cross-firing between two groups, in which two persons had received pellet injuries and died, for which, Koilwar Police Station Case No. 55 of 2022 was registered. It has



further been alleged that the local people and Chowkidar informed that there has been firing between the groups of Satendra Pandey and Videshi Rai, who usually used to fight with each other. 28 named accused including the petitioner of Satendra Pandey group along with 30-35 unknown persons armed with weapons came and resorted to firing and several rounds of firing were made and when the informant reached at the place of occurrence, the accused persons, taking advantage of dense forest, fled away.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to political reasons. He further submits that the allegation against the petitioner is general and omnibus in nature inasmuch as 28 named and 30-35 unknown persons resorted to firing. He next submits that the petitioner does not belong to any group including groups of Satendra Pandey and Videshi Rai. No overt act has been alleged against the petitioner, as would be evident from First Information Report. He further submits that similarly situated co-accused persons have been granted anticipatory bail by this Court, vide orders, dated



10.02.2023 and 01.11.2023, passed in Criminal Misc. Nos. 3172 of 2023 and 68879 of 2022, respectively.

5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that general and omnibus allegation has been levelled against the petitioner and similarly situated co-accused persons have already been granted bail by this Court, I am inclined to grant the privilege of anticipatory bail to the petitioner.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, at Ara, in connection with Koilwar Police Station Case No. 57 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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