

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66383 of 2024**

Arising Out of PS. Case No.-11 Year-2024 Thana- SHYAMPUR BHATHAN District-
Sheohar

Abhay Singh @ Abhay Kumar Singh @ Ahay Singh S/o Late Ramagya Singh
R/o Village- Nayagaon, P.S.- Shyampur Bhathan, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Ansiur Rahman, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Sheyampur Bhathan P.S. Case No 11 of 2024 registered for
the offences punishable under Sections 307/34 of the Indian
Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, the accusation against the
petitioner is of opening fire at the Informant and his companion
with an intention to commit their murder.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case due to previous enmity and dirty village politics.
There is no specific or direct allegation of any overt act against



the petitioner rather the same is general and omnibus in nature. The specific allegation is against the co-accused Chhotu Chaudhary who is alleged to have fired upon the Informant which hit the wiper of the motorcycle and in the occurrence, nobody has sustained injury. During entire investigation, not even a single person has come forward claiming to have seen the petitioner near or around the alleged place of occurrence. The Investigating Officer, after completion of investigation, has submitted charge-sheet against the petitioner. The petitioner has no concern with the alleged occurrence or the other accused persons. The petitioner has three criminal antecedents and, all of them, he is on bail as has been stated in paragraph no.3 of the present anticipatory bail application.

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

6. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner, let 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.10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned court below where
the case is pending/successor court in connection with
Sheyampur Bhathan P.S. Case No 11 of 2024, subject to the
conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

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