

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65175 of 2024**

Arising Out of PS. Case No.-335 Year-2023 Thana- NAVINAGAR District- Aurangabad

Om Prakash Singh @ Chhotu Singh Son of Bhuneshwar Prasad Singh @  
Bhulan Singh R/O Vill.- Kachara, P.S.- Hussainabad, Dist.- Palamu,  
Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                 |
|--------------------------|---|---------------------------------|
| For the Petitioner/s     | : | Mr. Aman Vishal, Advocate       |
|                          | : | Ms. Leelawati Kumari, Advocate  |
| For the Opposite Party/s | : | Mr. Tarkeshwar Nath Thakur, APP |

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      01-10-2024                      Heard Ms. Leelawati Kumari, learned counsel for  
the petitioner and learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Nabinagar P.S. Case No. 335 of 2023 for the offence under Sections 147, 148, 149, 448, 427, 504 and 506 of the Indian Penal Code and sections 25(1), 27 and 35 of the Arms Act, lodged on 14.08.2023 by the informant, Ajit Kumar Singh.

3. As per the prosecution story, the informant alleged that the accused persons came and fire ten rounds and then smashed the windows of Alto K10 vehicle stationed there. The police reached and recovered the live cartridges besides the empty cells of the cartridges. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that due to enmity all of them have been named and omnibus allegation



made of firing as also smashing the car. Further, the submission is that without accepting the allegation and/or the come of the present petition in view of the fact that the car have been damaged, the petitioner(s) on its own would like to contribute towards the repairing of the car Rs.10,000/- through Demand Draft issued by the local State Bank of India ch to be submitted before the 'NAZARAT of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP opposes the prayer submitting that not only opened fire, also damaged the vehicle of the informant.

6. Allegation is there, the petitioner will be facing the Trial, the informant has made omnibus allegation against all the accused persons, this petitioner do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.10,000/- as undertaken by the learned counsel for the petitioners to be paid to the informant by Demand Draft of local State Bank of India to the Trial Court.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1,



Aurangabad, in connection with Nabinagar P.S. Case No. 335 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his/her bail bonds.

**(Rajiv Roy, J)**

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