

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73633 of 2024

Arising Out of PS. Case No.-124 Year-2024 Thana- OBRA District- Aurangabad

Sahvendra Singh @ Sahbendra Singh S/o Lalkeshwar Singh Resident of
Village- Gortara, P.S- Obra, Distt. - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Singh, Adv.

For the Opposite Party/s : Mr. Nagendra Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-10-2024 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, 379, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegedly, all the FIR named accused persons including the petitioner are said to have assaulted the informant and his son brutally causing injuries to them. In course of alleged occurrence, petitioner opened fire upon the informant with an intention to kill him, but anyhow the informant managed to save himself.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence.



No such occurrence as alleged has ever taken place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. None of the independent witnesses have supported the prosecution case. No any sign of firing has been found at the place of alleged occurrence. Neither the informant nor his son has received any injury. It is further submitted that the present case is nothing, but a counter blast of Obra P.S. Case no. 125 of 2024 lodged on behalf of the mother of the petitioner. There is inordinate and abnormal delay of two days in lodging the FIR without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. Petitioner has two criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, since neither the informant nor his son has sustained any injury, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Obra P.S. Case No. 124 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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