

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73646 of 2023

Arising Out of PS. Case No.-375 Year-2023 Thana- WAJIRGANJ District- Gaya

RAVINDRA SINGH @ CHANDRABHUSHAN SINGH@ RAVINDER
SINGH son of Late Sitaram Singh Village- Mayapur Ps- Wazirganj Dist-
Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate
	:	Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s	:	Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 29-02-2024 Heard Mr. Krishna Prasad Singh, learned senior
counsel appearing for the petitioner, learned counsel for the
informant and Mr. Manoj Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Wazirganj P.S. Case No. 375 of 2023, FIR dated
22.06.2023 registered for the offences punishable under
Sections 302, 307, 120(B)/34 of IPC and Section 27 of the Arms
Act.

3. Prosecution case, in brief, as per informant is that
on 21-06-2023 at about 9.30 PM., her husband was returning
home from the Tarwan bazaar through his motorcycle. While he
was on the way, he has been killed by gun shot fired by the



accused/petitioner under conspiracy with the co-accused persons. It is further stated that prior to the incident co-accused persons were continuously threatening informant that her husband will not survive for long time.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case merely on the ground of suspicion. Further submits that from a bare perusal of the FIR it appears that the informant is not the eye witness of the alleged occurrence and it appears from the FIR itself also that due to previous dispute the petitioner and other co-accused persons might kill the husband of the informant. Learned counsel for the petitioner submits that no one is the eye witness of the alleged occurrence and merely on the ground that the petitioner and other co-accused persons were found near the place of occurrence and the petitioner and other co-accused persons have been made accused in the present case and except the suspicion, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence.

5. Learned counsel for the informant and learned A.P.P. for the State, on the other hand, have vehemently opposed the prayer for anticipatory bail of the petitioner and submits that



a number of witnesses have suggested that the petitioner was found near the place of occurrence alongwith pistol and apart from the aforesaid the petitioner carries four more cases other than the present one.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 A.C.J.M.-1st, Gaya in connection with Wazirganj P.S.Case No.375 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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