

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81071 of 2023

Arising Out of PS. Case No.-389 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

Mohit Singh @ Ramu Singh @ Abhinandan Kumar Singh S/O Raghu Raj
Singh R/O Village- Basantpur, P.S- Ara Muffasil, Distt.- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar Singh, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-01-2024 Heard Mr.Raju Kumar Singh, learned counsel for
the petitioner and Mr.Tapeshwar Sharma, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Ara Muffasil (Dhobhan O.P.) P.S.Case No.389 of 2023,FIR dated 02.09.2023 registered for the offences punishable under Sections 341,323,379,307,504,506 of IPC and Section 27 of Arms Act.

3. Allegation against the petitioner is that he fired two rounds upon the informant.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. The informant is cousin brother of the petitioner and the allegation as alleged in the FIR is false and fabricated and no such



occurrence had taken place and due to admitted land dispute the petitioner has falsely been implicated in the present case. Further submits that from a bare perusal of the impugned order it appears that no injury was found on the person of the informant and there is only allegation against the petitioner that he fired upon the informant.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that there is direct allegation against the petitioner that he fired upon the informant and apart from the aforesaid the petitioner carries one more case 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.-VII, Bhojpur at Ara in connection with Ara Muffasil (Dhobhan O.P.) P.S.Case No.389 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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