

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79398 of 2023

Arising Out of PS. Case No.-20 Year-2023 Thana- PASRAHA District- Khagaria

SHISHU KUMAR @ SISHU YADAV SON OF SHANKAR YADAV R/O
VILLAGE- CHHOTI BANDEHRA, P.S.- PASRAHA, DISTRICT-
KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Raj Kishor Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 23-01-2024 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in a case in
connection with Pasraha P.S. Case No. 20 of 2023, GR No. 385
of 2023 dated 10.02.2023 registered for the offence/s punishable
u/ss 302, 201, 506/34 and 120B of the Indian Penal Code and
27(3) of the Arms Act.

4. As per the prosecution case, it is alleged that the
informant got information on his mobile that that his younger
brother Nehru Kumar was shot dead by criminals and his dead



body was thrown into the Chaudhary garden. It is further alleged that earlier, his co-villagers namely, Chandeshwari Yadav and Piyush Kumar threatened the deceased to kill him.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up during the course of the investigation. Similarly situated co-accused has already been granted anticipatory bail by the co-ordinate bench *vide* order dated 11.08.2023 passed in Cr. Misc. No. 47765 of 2023. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Khagaria in connection with Pasraha P.S. Case No. 20 of 2023, GR No. 385 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with the following



condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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