

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7561 of 2024

Arising Out of PS. Case No.-94 Year-2023 Thana- SONEPUR District- Saran

=====

Bharat Shaw @ Bharat Lal Sah Son Of Late Manki Sah Rsident Of Village -
Kharika, P.S.- Sonepur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Amitesh Kumar, APP

=====

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

ORAL ORDER

2 26-02-2024 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

connection with Sonepur P.S Case No. 94 of 2023 dated

09.02.2023 registered for the offence punishable u/s 341, 326,

307, 120(B) and 34 of the Indian Penal Code and Section 27 of

the Arms Act.

4. As per the prosecution case, the petitioner and other

accused persons are alleged to fired on the informant's brother

causing fire arms injury. Further, prior to the alleged incident the



accused persons had threatened the victim to kill.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. Learned counsel further submits that as per the F.I.R. the informant did not saw that who fired on his brother. There is no independent witness to the alleged occurrence. There is no specific allegation of firing against the petitioner. The allegation against the petitioner is general and omnibus in nature. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel further submits that the co-accused *Jitendra Singh alias Jitendra Kumar Singh* has already been granted Anticipatory Bail by a co-ordinate bench of this Court vide order dated 17.10.2023 passed in Cr. Misc. No. 62833 of 2023 and the case of present petitioner stands on similar footing.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail 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 anticipatory bail on furnishing bail-bond of Rs.



8. The application stands allowed.

jyoti/-

U		T	
---	--	---	--

